

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS FOR FISCAL YEAR 2006

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

NONDEPARTMENTAL WITNESSES

[The following testimonies were received by the Subcommittee on Homeland Security for inclusion in the record. The submitted materials relate to the fiscal year 2006 budget request for programs within the subcommittee's jurisdiction.]

PREPARED STATEMENT OF THE AMERICAN PUBLIC TRANSPORTATION ASSOCIATION

Mr. Chairman, thank you for this opportunity to submit written testimony on the security and safety of public transportation systems. We appreciate your interest in transportation security, and we look forward to working with you as you develop the fiscal year 2006 appropriations bill for the Department of Homeland Security (DHS).

ABOUT APTA

The American Public Transportation Association (APTA) is a nonprofit international association of over 1,500 public and private member organizations including transit systems and commuter rail operators; planning, design, construction, and finance firms; product and service providers; academic institutions; transit associations and State departments of transportation. APTA members serve the public interest by providing safe, efficient, and economical transit services and products. Over 90 percent of persons using public transportation in the United States and Canada are served by APTA member systems.

OVERVIEW

Mr. Chairman, public transportation is one of our Nation's critical infrastructures. We cannot over-emphasize the critical importance of our industry to the economic quality of life of this country. Over 9.6 billion transit trips are taken annually on all modes of transit service. People use public transportation vehicles over 32 million times each weekday. This is more than 16 times the number of daily travelers aboard the Nation's airlines.

Safety and security are the top priority of the public transportation industry. Transit systems took many steps to improve security prior to 9/11 and have significantly increased efforts since then. Since September 11, 2001, public transit agencies in the United States have spent over \$2 billion on security and emergency preparedness programs and technology, almost all from their own budgets with only minimal Federal funding. Last year's events in Madrid further highlight the need to enhance security on public transit systems and to do so without delay. We do not need another wakeup call like Madrid.

In response to an APTA survey, transit agencies around the country have identified in excess of \$6 billion in transit security needs. State and local governments and transit agencies are doing what they can to improve security, but it is important that the Federal Government be a full partner in the effort to ensure the security of the Nation's transit users.

In fiscal year 2003, transit security received \$65 million in Federal funding from DHS. In fiscal year 2004, \$50 million was provided for Federal transit security programs from DHS. For the first time in fiscal year 2005, Congress specifically appro-

apropriated \$150 million for transit, passenger and freight rail security. Out of the \$150 million, transit will receive approximately \$130 million—almost \$108 million for rail transit and more than \$22 million for bus. Also, ferries will receive an additional \$5 million for security from a separate account. We are very appreciative of this effort. However, in the face of significant needs, more needs to be done.

We urge Congress to act decisively on this issue. In light of the documented needs, we respectfully urge Congress to provide \$2 billion in the fiscal year 2006 Homeland Security Appropriations bill for transit security. Of that amount, we recommend that \$1.2 billion be provided for capital needs, and \$800 million for transit costs. Federal funding for needs should provide for, among other things, planning, public awareness, training and additional transit police.

We are disappointed that the Administration recommended only \$600 million for a Targeted Infrastructure Protection Program in the fiscal year 2006 DHS budget proposal, which would fund infrastructure security grants for transit, seaports, railroads and energy facilities. We were also disappointed that the Administration does not include a specific line item funding amount for transit security. We look forward to working with the Administration and Congress in securing adequate transit security funding that begins to address unmet transit security needs of the country.

We further request that the existing process for distributing DHS Federal grant funding be modified so that funds are distributed directly to transit authorities, rather than to State Administrating Agencies (SAA). While we are willing to coordinate with the States and urban areas that we serve, we believe direct funding to the transit authorities would be more efficient and productive.

We are pleased to note that APTA has become a “Standards Development Organization” (SDO) for the public transportation industry. Our efforts in standards development for commuter rail, rail transit and bus transit operations over recent years have been significant and our status as a SDO has been acknowledged by both the Federal Transit Administration (FTA) and the Federal Railway Administration (FRA). The FTA and the Transportation Research Board have also supported our standards initiatives through the provision of grants. We would like to apply our growing expertise in standards development of transit industry safety and security, best practices, guidelines and standards. We look forward to working with the Administration and Congress in support of this initiative and trust that Federal financial assistance would be made available to develop such standards and practices.

We also would like to work with Congress and the Department of Homeland Security’s Directorate of Science and Technology to take a leadership role in advancing research and technology development to enhance security and emergency preparedness for public transportation.

SECURITY INVESTMENT NEEDS

Mr. Chairman, after the awful events of 9/11, the transit industry invested some \$2 billion in enhanced security measures, building on the industry’s already considerable efforts. At the same time, our industry undertook a comprehensive review to determine how we could build upon our existing industry security practices. This included a range of activities, some I discussed earlier in testimony, which include research, best practices, education, information sharing in the industry, and surveys. As a result of these efforts we have a better understanding of how to create a more secure environment for our riders, and the most critical security investment needs.

Our latest survey of public transportation security identified enhancements of at least \$5.2 billion in additional capital funding to maintain, modernize, and expand transit system security functions to meet increased security demands. Over \$800 million in increased costs for security personnel, training, technical support, and research and development have been identified, bringing total additional transit security funding needs to more than \$6 billion.

Responding transit agencies were asked to prioritize the uses for which they required additional Federal investment for security improvements. Priority examples of operational improvements include:

- Funding current and additional transit agency and local law enforcement personnel.
- Funding for over-time costs and extra security personnel during heightened alert levels.
- Training for security personnel.
- Joint transit/law enforcement training.
- Security planning activities.
- Security training for other transit personnel.

Priority examples of security capital investment improvements include:

- Radio communications systems.
- Security cameras on-board transit vehicles and in transit stations.
- Controlling access to transit facilities and secure areas.
- Automated vehicle locator systems.
- Security fencing around facilities.

Transit agencies with large rail operations also reported a priority need for Federal capital funding for intrusion detection devices.

Mr. Chairman, the Department of Homeland Security issued directives for the transit industry in May 2004, which would require that transit authorities beef up security and to take a series of precautions which would set the stage for more extensive measures without any Federal funding assistance. We believe these directives are unfunded mandates. Many of our transit systems have already carried out most of the measures that Transportation Security Administration (TSA) is calling for, such as drafting security plans, removing trash bins and setting up procedures to deal with suspicious packages. The cost of these measures and further diligence taken during times of heightened alert is of particular concern to us. We look forward to working with you in addressing these issues.

As you know, in the fiscal year 2005 Homeland Security Appropriations bill (Public Law 108-334), TSA can hire up to 100 rail inspectors using a \$10 million appropriation. We have concerns about this provision. We believe that funding for the inspectors would be better spent on things that would support the industry such as surveillance cameras, and emergency communication and other systems rather than highlighting security issues without providing the necessary resources to address them. We look forward to working with you in addressing our concerns.

BACKGROUND

Mr. Chairman, prior to and following September 11, 2001—the date of the most devastating terrorist attack in U.S. history—APTA has played a key role in addressing the safety and security issues of our country. American public transportation agencies have also taken significant measures to enhance their security and emergency preparedness efforts to adjust to society's new state of concern. Although agencies had a wide range of security initiatives in place at the time of the World Trade Center and Pentagon attacks and already had developed emergency response plans, the September 11 incidents focused, strengthened and prioritized security efforts throughout the industry.

Transit agencies have had an excellent safety record and have worked for years to enhance their system security and employee security training, by following government standards and APTA guidelines, and by learning from the attacks on transit agencies abroad. For example, the 1995 sarin gas attack in the Tokyo subway system caused U.S. transit properties managing tunnels and underground transit stations to go on high alert. The San Francisco Bay Area Rapid Transit District, for instance, responded to the potential threat of chemical weapons attacks by sending a transit police team to Fort McClellan, Alabama, to learn response tactics from U.S. Army chemical weapons experts.

In the months following the September 11 terrorist attacks, transit agencies of all sizes worked to identify where they might be vulnerable to attacks and increased their security spending for both operations and capital costs. The agencies subsequently upgraded and strengthened their emergency response and security plans and procedures, taking steps to protect transit infrastructure and patrons and to increase the transit security presence while giving riders a sense of security.

Some initiatives around the country include:

- Increased surveillance via closed circuit TV;
- Increased training for employees;
- Hired more police, K-9 units added;
- Chemical detection systems being tested;
- Infrastructure design to eliminate hiding places;
- Drills are routinely held with first responders; and
- Encouraging riders to be vigilant for suspicious activities or items.

After September 11, transit systems enhanced efforts to prevent unauthorized entry into transit facilities. The need for employees and passengers to stay alert and report suspicious occurrences became a key goal of many agencies. These efforts are paying off. But, while many transit agencies are more secure than they were prior to September 11, more can and should be done.

APTA has launched additional efforts to further transit industry security and preparedness, collaborating with FTA in developing emergency preparedness forums, and sponsoring and organizing security-related conferences and workshops. Moreover, APTA developed a list of critical safety and security needs faced by the transit

industry, which it has provided to the Department of Transportation and the U.S. Congress.

PUBLIC TRANSPORTATION INFORMATION SHARING ANALYSIS CENTER (ISAC)—NEED FOR ONGOING FUNDING

Presidential Decision Directive Number 63 authorizes and encourages national critical infrastructures to develop and maintain ISACs as a means of strengthening security and protection against cyber and operations attacks. APTA is pleased to have been designated a public transportation Sector Coordinator by the U.S. Department of Transportation, and in that capacity has received a \$1.2 million grant from the Federal Transit Administration to establish a transit ISAC. APTA formalized an agreement with a private company to implement the ISAC and make it available to public transit systems around the country.

This ISAC for public transit provides a secure two-way reporting and analysis structure for the transmission of critical alerts and advisories as well as the collection, analysis and dissemination of security information from transit agencies. The public transit ISAC also provides a critical linkage between the transit industry, the U.S. Department of Transportation, the Transportation Security Administration, and the Department of Homeland Security.

The Public Transit ISAC has been invaluable to the public transit industry. However, its 2-year funding from the FTA has expired, and even though APTA pursued future funding for the ISAC from DHS and other agencies, we were not successful. DHS has decided it will no longer provide funding for ISACs. Instead, DHS has launched a new program—Homeland Security Information Network-Critical Infrastructure (HSIN-CI), in which we are participating. HSIN is designed to provide a new set of tools to share critical sector information among private industry and government, but a fully functioning HSIN has yet to be realized. Once it is, there is no guarantee that it will ever be as useful and comprehensive as the Public Transit ISAC. Consequently, we believe that ongoing, reliable and consistent funding from Congress for the Public Transit ISAC is necessary.

ONGOING TRANSIT SECURITY PROGRAMS

Mr. Chairman, while transit agencies have moved to a heightened level of security alertness, the leadership of APTA has been actively working with its strategic partners to develop a practical plan to address our industry's security and emergency preparedness needs. Shortly after the September 11 events, the APTA Executive Committee established a Security Task Force. The APTA Security Task Force has established a security strategic plan that prioritizes direction for our initiatives. Among those initiatives, the Task Force serves as the steering group for determining security projects with more than \$2 million in Transit Cooperative Research funding through the Transportation Research Board.

Through this funding, APTA has conducted four transit security workshop forums around the Nation for the larger transit systems with potentially greater risk exposure. These workshops provided confidential settings to enable sharing of security practices and applying methodologies to various scenarios. The outcomes from these workshops were made available in a controlled and confidential format to other transit agencies unable to attend the workshops. The workshops were held in New York, San Francisco, Atlanta, and Chicago.

In partnerships with the Transportation Research Board, the APTA Security Task Force has also established two TCRP Panels that identified and initiated specific projects developed to address Preparedness/Detection/Response to Incidents and Prevention and Mitigation. The Security Task Force emphasized the importance for the research projects to be operationally practical.

In addition to the TCRP funded efforts, a generic Checklist For Transit Agency Review Of Emergency Response Planning And System Review has been developed by APTA as a resource tool and is available on the APTA web site. Also through the direction of the Security Task Force, APTA has reached out to other organizations and international transportation associations to formally engage in sharing information on our respective security programs and to continue efforts that raise the bar for safety and security effectiveness.

APTA has long-established Safety Audit Programs for Commuter Rail, Bus, and Rail Transit Operations. Within the scope of these programs are specific elements pertaining to Emergency Response Planning and Training as well as Security Planning. In keeping with our industry's increased emphasis on these areas, the APTA Safety Audit Programs have been modified to place added attention to these critical elements.

CONCLUSION

Mr. Chairman, in light of our Nation's heightened security needs post 9/11, we believe that increased Federal investment in public transportation security by Congress and DHS is critical. The public transportation industry has made great strides in transit security improvements since 9/11 but much more needs to be done. We look forward to building on our cooperative working relationship with the Department of Homeland Security and Congress to begin to address these needs. We again thank you and the Committee for allowing us to submit testimony on these critical issues, and look forward to working with you on safety and security issues.

PREPARED STATEMENT OF THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS, INC.

The Association of State Floodplain Managers, Inc. (ASFPM) is pleased to share comments on these key aspects of the fiscal year 2006 budget proposal for FEMA, which we believe greatly impact the ability to reduce the Nation's risk and cost from flooding (or natural hazards):

- Urge transfer of funds from the National Flood Insurance Fund to the Flood Mitigation Fund in the amounts authorized in 2004 to deal with the drain represented by repetitively flooded, insured properties.
- Support for continued full funding for modernization of flood maps, with comments about quality and the need to re-evaluate the funding and duration of the effort.
- Restore the 15 percent formula for the Hazard Mitigation Grant Program funding in States with Basic Mitigation Plans and oppose the Administration's proposed reduction of Hazard Mitigation Grant Program funds from 20 percent to 12.5 percent for States that have Enhanced Mitigation Plans approved by FEMA.
- Monitor how the Department of Homeland Security addresses natural hazards, which each year threaten nearly every local jurisdiction to some degree, and how the Department addresses mitigation programs intended to bring about long-term reduction in the impacts of hazards.
- Clarify that mitigation funds provided to private property owners under FEMA's programs are not taxable as income.

The Association of State Floodplain Managers, Inc., and its 20 State chapters represent over 7,000 State, local, and private sector officials as well as other professionals who are engaged in all aspects of floodplain management and hazard mitigation. All are concerned with reducing our Nation's flood-related losses and reducing the costs of flooding.

Transfer Funds to Address the NFIP'S Repetitive Loss Problem

Following several years of deliberation, Congress enacted the Flood Insurance Reform Act of 2004. In large part, the Act is intended to provide FEMA, States and communities with the funding and tools needed to deal with the National Flood Insurance Program (NFIP) repetitive loss problem. For many years FEMA has identified the disproportionate amount of repetitive claims paid on a very small percentage of NFIP-insured properties as the most significant factor that drives increases in the cost of flood insurance—which affects 4.4 million policyholders in every State and over 20,000 counties, cities and towns. Fewer than 50,000 properties account for a drain of approximately \$200 million a year.

The Reform Act of 2004 authorizes transfers of funds (total of \$90 million) from the National Flood Insurance Fund (which contains only premium and fee income, no General Funds) into the National Flood Mitigation Fund to aggressively mitigate repetitive loss structures. Funds authorized for three elements of the Flood Mitigation Assistance program are: Basic (\$40 million/year), Pilot (\$40 million/year through fiscal year 2009), and Individual Property (\$10 million/year). The Basic Program is mature, with virtually all States currently active to some degree. For the fiscal year 2006 Basic Program the Administration requests \$28 million, just \$8 million over the funding level of recent years. No funds were requested for the Pilot Program and the Individual Property Program.

FEMA consistently asserts the merits of focusing mitigation efforts on repetitive loss properties in order to help stabilize and strengthen the National Flood Insurance Fund (NFIF). The Reform Act of 2004 directs that the repetitive loss programs be funded by transfer from the NFIF without differentiating between fee income and premium income. DHS Undersecretary Mike Brown testified that the budget request is limited to only the additional \$8 million for the Basic FMA program because the Department is studying how to fund the repetitive loss effort from fee income. ASFPM believes it is appropriate to transfer funds, without further delay,

from fee income and/or premium income. Since the NFIF as a whole will benefit—and all policyholders will benefit if the pressure to raise the rates is diminished—then it is well worth the investment of some premium income.

—ASFPM urges the Subcommittee to fully fund the Flood Mitigation Assistance programs authorized in the Flood Insurance Reform Act of 2004 by transferring funds from the National Flood Insurance Fund to the National Flood Mitigation Fund.

—ASFPM urges the Subcommittee to make clear that transfer funds for the repetitive loss grant programs may be taken from premium income and/or fee income, subject to the limitations of the Reform Act of 2004.

Continue Support for Flood Map Modernization

Flood maps are used for many purposes beyond the immediate needs of the National Flood Insurance Program. Good flood maps play a major role in disaster cost reduction—they are used to support land use and management of identified flood-prone areas. FEMA estimates that local regulation of flood hazard areas, using the flood maps, avoids property losses of over \$1 billion each year. FEMA's estimate does not count the benefits associated with using the maps to guide development to less hazard-prone areas. Quality flood maps yield benefits at all levels of government. They help reduce the need for Federal disaster assistance and casualty loss tax deductions because at-risk homes with federally-backed mortgages are required to be covered by flood insurance, which provides financial resources to help owners recover.

ASFPM is concerned that rigid metrics imposed on FEMA are driving map production, rather than the goal of producing defensible and accurate flood maps that reflect necessary revisions. Further, budget constraints created by an out-of-date estimate of map needs is artificially restricting restudies and new studies to only a small number of streams or short reaches of coastline. The expectation that revised flood maps will meet high quality standards is an incentive and justification for States and communities to invest their own funds in the modernization effort—ASFPM is concerned that this expectation is not being met.

—ASFPM strongly endorses the Administration's request for \$200 million.

—ASFPM urges the Subcommittee to request that FEMA re-evaluate the duration and anticipated funding levels required to produce revised and updated flood risk maps to the appropriate and defensible quality standards. Re-evaluation is warranted because of advances in technology, lessons learned in the early years of this effort, improved understanding of the extent of areas not adequately mapped, priorities identified by States and communities, and the number of partnership efforts with States and communities, including in-kind and other contribution.

—ASFPM urges the Subcommittee to express its expectation that FEMA will address State-identified priorities and that adequate quality data and mapping for streams and coastlines where people are at-risk are the objectives.

Restore 15 percent Formula for Hazard Mitigation Grant Program and Reject Reduction of Funding Available for States with Enhanced Mitigation Plans

ASFPM urges restoration of the 15 percent formula used to determine amounts made available after disasters for the Hazard Mitigation Grant Program (HMGP) authorized by Section 404 of the Stafford Act. States and communities across the country have evidence that the most effective time to garner support for mitigation projects is in the aftermath of disasters. While mitigation planning is a vital activity to identify hazards and potential risks, only actual damaging events generate significant public interest and State and local financial support. Redundant Regardless of the statistical evidence of the likelihood of future disaster occurrence, communities rarely place hazard mitigation above today's demands for education, social programs, local first responders, and the like. This is especially true in smaller communities where financial resources are always tight.

On the proverbial sunny day, flooding is a low priority for the millions of homeowners and business owners in the Nation's flood hazard areas—regardless of the mounting evidence that future floods will occur. Homeowners and business owners view offers for buyouts, elevations, and retrofit floodproofing very differently when they are shoveling mud, coping with toxic mold, or faced with collapsed foundations. Restoring HMGP to the 15 percent formula will provide resources to those who have just experienced damage and are most receptive to change.

ASFPM recommends that pre-disaster funding be directed to community-based planning in order to prepare communities to undertake mitigation projects when the disaster strikes. It would also be reasonable to make pre-disaster mitigation funds available to support public projects that address at-risk State and community build-

ings, facilities, and public infrastructure—among the more costly categories of post-disaster public assistance. These projects, which do not require direct and voluntary participation of property owners, can readily be designed and implemented in the pre-disaster context and provide broad public benefits.

- ASFPM urges the Subcommittee to restore the Hazard Mitigation Grant Program formula to 15 percent of certain Federal disaster expenditures. The Disaster Mitigation Assistance Act of 2000 calls for communities to have pre-disaster local mitigation plans in order to access HMGP. One result of this requirement is that communities will be better prepared to identify eligible activities after the next declared disaster, thus further shortening the time needed to obligate and expend the HMGP funds.
- ASFPM urges the Subcommittee to reject the Administration’s proposed reduction in the formula to determine amounts available to States with Enhanced Mitigation Plans. To qualify for HMGP based on the 20 percent that is authorized by the Stafford Act, a State demonstrates a strong commitment by administering a comprehensive mitigation program, including having the capability and capacity to manage grants and assess the cost avoidance of mitigation measures. The potential availability of the increased HMGP amount is a powerful incentive for States to take on the significant additional responsibility to work with communities and others to identify and implement feasible and cost-effective mitigation measures.
- ASFPM recommends that the Subcommittee examine the effectiveness of the nationwide, competitive Pre-Disaster Mitigation program. In the fiscal year 2005 appropriations bill DHS was directed to consult with State mitigation officials. Last fall State officials were provided just 2 weeks to respond and, to date, no report has been released. ASFPM recommends that particular attention should be paid to citizen, community and State interest in pre-disaster mitigation and how the ability to provide the non-Federal cost share differs in the pre- and post-disaster periods.

Monitor How the Department of Homeland Security Addresses Natural Hazards and Mitigation

Floods, hurricanes, severe storms, tornadoes, harsh winter storms, landslides, wildfires, and earthquakes put millions of Americans at risk every day. From a cost and future consequences perspective, ASFPM remains concerned with the diminished focus on natural hazards and mitigation by the Department of Homeland Security. Despite continued assertions of commitment to FEMA’s all-hazards mission, DHS has reduced cohesiveness of programs and reduced the number of staff who deal with natural hazards and mitigation. The following remain specific concerns: transferring FEMA funds to areas of DHS that are not under the jurisdiction of the Under Secretary for Emergency Preparedness & Response; detailing FEMA staff out of that directorate; and reducing support for the vital network of State and local public safety and disaster mitigation officials.

DHS Secretary Chertoff is beginning a thorough examination of threats and vulnerabilities in order to prioritize them, and has expressed his intent to align DHS resources and priorities based on this analysis. Natural hazards are a threat in every State—every State has experienced multiple devastating floods that resulted in declaration of major disasters. Damage due to floods of all magnitudes are estimated as exceeding \$5 billion each year. Most areas are at risk to other natural hazards, as well. Clearly, our communities and our citizens are vulnerable. ASFPM hopes that adequate consideration of natural hazards is made in the analysis called for by Secretary Chertoff.

- ASFPM urges the Subcommittee to monitor DHS proposals and actions that affect FEMA programs and staff to prevent unwise and unnecessary reduction in FEMA’s effectiveness, which in turn will jeopardize State and local efforts to deal with natural hazards and mitigation.

Clarify that Mitigation Grant Funds Received by Private Property Owners are not Taxable as Income

In 2004 the IRS made a determination that mitigation grants to property owners who work with their communities and States to prevent and minimize future damages to their homes and businesses are taxable as income. This decision is having a dramatic impact on the Nation’s ability to reduce future damages and costs (many disaster costs are paid directly by taxpayers). Property owners, when told that mitigation cost-share grants will be taxable, are simply opting to NOT mitigate, thus remaining at-risk to future damage. Ironically, property owners are only eligible for cost sharing mitigation grants if it is clearly shown that the benefits to the Nation outweigh the costs to the Nation.

—ASFPM urges the Subcommittee to include language in the appropriations bill to clarify that mitigation cost sharing grants are not taxable income.

For information about ASFPM and this testimony, contact Larry Larson, Executive Director, at (608) 274-0123 (asfpm@floods.org) or Rebecca Quinn, Legislative Officer, at (410) 267-6968 (rcquinn@earthlink.net).

PREPARED STATEMENT OF THE CITY OF SAN MARCOS, TEXAS

Mr. Chairman and Members of the Subcommittee: On behalf of the City of San Marcos, Texas, I am pleased to submit this statement in support of our request for project funding through the Appropriations Bill for Homeland Security.

The City of San Marcos requests an appropriation of \$5,000,000 for the San Marcos Municipal Airport to construct and equip a multi-purpose fire station and fire fighter training facility. We would respectfully suggest that this project would properly fall within the scope of first responder, emergency preparedness and response training. There is no provision for this funding in the President's budget, nor has there been any prior year Federal funding.

The City of San Marcos and facility users would be actively engaged in the project's funding through cost-sharing. Approximately \$200,000 would be provided by the City for all required real estate and utilities. The City and facility users would provide an estimated \$600,000 annually in operating revenues when the facility is fully functional.

The San Marcos Municipal Airport is a public general aviation airport owned and operated by the City of San Marcos, Texas. It is located just east of Interstate Highway 35 on Texas Highway 21 approximately 30 miles south of Austin and 45 miles north of San Antonio. The airport occupies the site of a closed military air base, and we share the former military base with the Department of Labor's Gary Job Corps Center.

There are currently 225 aircraft based at the airport, and the airport supports over 100,000 air operations annually. This makes the San Marcos Municipal Airport the largest and most active general aviation airport in the bustling Austin-San Antonio corridor. To serve the present and future safety and security needs of the airport, an emergency response capability, known in aviation terms as an Aircraft Rescue and Fire Fighting (ARFF) facility, has been among our highest priority goals. We have encountered a challenge in obtaining Federal funding assistance through conventional Federal Aviation Administration channels. In order for the airport to qualify for ARFF funding, the airport must first be certified under Federal Air Regulation, Part 139; however, to achieve certification, the airport requires an ARFF.

As a better, more cost-efficient approach to achieving our goal, we are proposing to partner with the San Marcos Fire Department and the Gary Job Corps Center to construct and equip a facility on the airport that will meet the airport ARFF requirement, serve as a fire station for the City of San Marcos, and also be a training venue for the Gary Job Corps Center and other regional agencies to train fire fighters and emergency service first responders.

Our plan proposes to construct, equip, and then operate a multi-purpose fire station and fire fighter training facility located on the airport. The fire station would consist of two components. One would be a Federal Aviation Administration certified ARFF to meet the evolving public safety and security requirements of a growing public airport. Another component would be a conventional City of San Marcos fire station to be integrated with the San Marcos Fire Department's other emergency response forces to serve the citizens of San Marcos.

In addition to these two emergency response capabilities, the facility would be the educational site and provide support to the Gary Job Corps Center's mission of training students for careers as professional fire fighters and emergency service first responders. We further envision that the facility will serve other regional training needs, especially for the many small community and rural emergency services responders who do not have the resources to maintain their own training facilities and programs. The planning estimate's total cost for project design, construction, furnishing, and equipping is \$5,000,000.

The San Marcos Municipal Airport is in desperate need of an ARFF to enhance public safety and security. Both the City of San Marcos and the San Marcos Fire Department need a fire station to serve the expanding eastern section of the city. The Gary Job Corps Center needs a fire fighter and first responder training school. All these critical public policy needs can be most effectively and efficiently met with a multi-purpose fire station and fire fighter training facility located on the San Marcos Municipal Airport. This multi-purpose facility would maximize the use of

limited public safety tax dollars, and, consequently, makes sense from a public policy perspective.

We appreciate very much the Subcommittee's consideration of this request for \$5,000,000 for the City of San Marcos for this important public safety and security project.

PREPARED STATEMENT OF THE COALITION OF NORTHEASTERN GOVERNORS

As the Subcommittee begins the fiscal year 2006 transportation appropriations process, the Coalition of Northeastern Governors (CONEG) is pleased to share with the Subcommittee testimony on the fiscal year 2006 Homeland Security Appropriations bill. The CONEG Governors commend the Subcommittee for its past support of funding for the Nation's critical transportation security needs, particularly rail security. Although we recognize the extensive demands being made upon Federal resources in the coming year, we urge the Subcommittee to continue the important Federal role in securing the Nation's transportation systems.

Efforts to strengthen the Nation's security, particularly its multi-modal transportation system, are of paramount importance to the CONEG Governors. We believe high priority must be given to the safety and security of the Nation's passenger rail systems, and therefore urge that the fiscal year 2006 Appropriations include the funding necessary to enable the Department of Homeland Security to help strengthen the security of the Nation's intercity, commuter rail, and rail transit systems. These extensive systems move millions of riders daily, and are critical components of the transportation network. Funding for rail security programs will allow the Department of Homeland Security to be an essential partner with States, local governments and public transportation authorities in ensuring that these vital rail systems remain accessible, reliable—and safe.

The CONEG Governors thank the entire Subcommittee for the opportunity to share these priorities and appreciate your consideration of these requests.

PREPARED STATEMENT OF THE GREATER ORLANDO AVIATION AUTHORITY

Chairman Gregg and distinguished members of the Senate Appropriations Subcommittee on Homeland Security: The Greater Orlando Aviation Authority ("the Authority") greatly appreciates the opportunity to submit written testimony in support of funding initiatives necessary to enhance the efficiency and execution of Department of Homeland Security requirements at Orlando International Airport. The Authority remains a steadfast partner in ensuring the highest standards of public safety and security of our homeland and deeply appreciates the leadership and efforts put forth by you and your Subcommittee to advance this mission.

The Authority respectfully requests your Subcommittee's consideration and support of the following Federal initiatives:

Integrated U.S. Customs and Border Protection (CBP)/USDA Animal and Plant Health Inspection Service (APHIS) Facility

Two years ago, our Nation took a bold advancement in border protection by unifying all Federal entities with border responsibilities under one frontline border agency—the U.S. Bureau of Customs and Border Protection (BCBP) within the Department of Homeland Security. Identified as "One Face at the Border", this historic initiative merged the personnel and functions of the former Customs Service, the Immigration and Naturalization Service, the Animal and Plant Health Inspection Service and the U.S. Border Patrol to enhance efficiencies and create greater accountability in one seamless border service. Today's CBP officers are cross-trained to perform all functions previously fulfilled by the individual legacy agencies.

On March 1, 2003, CBP designated a Port Director at each port of entry to implement a single, unified chain of command. At Orlando International Airport, an officially designated Port of Entry, over 230 employees of the legacy agencies were brought under the single command of our Area Port Director. Although functions have been merged to create a seamless border and inspection service, operational locations are still stretched across the airport's 13,247 acres at multiple locations.

The primary CBP facility, constructed almost a decade ago, is located on the west side of the airport in the Tradeport Drive area. As a result of the BCBP initiative, this facility is being utilized to its maximum capacity and does not have the flexibility to accommodate the realignment and future growth of staffing. INS functions are housed in an independent facility along the west side of the airport, as is the USDA Animal and Plant Inspection Service personnel.

The Greater Orlando Aviation Authority respectfully requests funding under the Department of Homeland Security to construct a 28,000 square foot companion facility adjacent to the existing CBP facility in order to promote a campus-style complex. This facility will accommodate capacity needed by CBP and bring existing APHIS staff and inspection facilities closer to CBP to increase interaction and accessibility. Such a facility will ensure improved communications and efficiencies needed to implement the Department's mission to protect the security of our borders and homeland.

The Authority respectfully requests the Committee to include the following line item in the fiscal year 2006 DHS budget:

“Design and Construction of an Integrated U.S. Customs and Border Protection/USDA APHIS Facility at Orlando International Airport—\$9,000,000”

Additional U.S. Customs and Border Protection Staffing Positions

Orlando International Airport continues to steadily rebound from the events of September 11, 2001 and significantly outpace passenger growth estimates. During the past year, our airport has moved upward in performance rankings to now lead as the 12th busiest commercial passenger service airport in the Nation and the 20th busiest in the world. Orlando International Airport has also surpassed Miami International Airport as Florida's busiest commercial service airport.

As Orlando is a top destination choice of passengers, it is no surprise that Orlando International Airport also ranks as our Nation's 5th largest Origination and Destination (O&D) Airport. As O&D passengers are required to undergo more security screening requirements than connecting passengers because they enter the sterile security area for the first time, appropriate levels of staffing are needed to ensure the efficient and timely flow of passengers through the screening and inspection process.

CBP passenger wait times at Orlando International Airport routinely exceed the national average. Additional inspectors are needed to accommodate the airport's continuing growth. Annual CBP Inspector expenses are approximately \$150,000 per inspector per year. Federal funding in the amount of \$750,000 is needed to support the addition of five new CBP officers.

The Authority respectfully requests the Committee to include the following line item in the fiscal year 2006 DHS budget:

“Additional CBP staffing positions at Orlando International Airport—\$750,000”

Installation of In-Line Checked Baggage Explosive Detection System (EDS)

Over 2 years ago, the Authority received concept approval from the Transportation Security Administration (TSA) for the installation of an In-Line Checked Baggage Explosive Detection System (EDS); however, the TSA has not issued a Letter-of-Intent to proceed with installation of this system due to lack of available Federal funding. Since the design has already been completed, the system could be installed and fully operational within two years if Federal funding is obtained.

Orlando International Airport (OIA) currently has 41 EDS machines located throughout the airport, with the majority in ticket lobbies and other passenger areas of the terminal. The physical size of each machine and the footprint support area consumes a significant portion (10 to 15 percent) of the terminal's capacity needed to process and move passengers efficiently. The airport has already implemented substantial renovations to the main terminal in partnership with the Federal Aviation Administration to maximize the flow and efficiency to the greatest extent possible. The existing placement of the EDS equipment negates the effectiveness of this substantial investment and may lead to the airport exceeding capacity levels earlier than projected.

Installation of an In-Line system would result in a significant reduction in the number of EDS machines needed and the number of personnel required to manual operate the integrated system. Of the 1,000 plus TSA personnel currently stationed at the airport, almost half (50 percent) are dedicated to the operation of the free standing EDS machines. Initial investments by TSA for in-line systems clearly result in immediate and long-term operational cost savings to the Administration.

OIA primarily serves origination and destination travelers, who undergo more screening requirements than connecting passengers. O&D passengers represent approximately 95 percent of all passengers at OIA. This high level of O&D activity is expected to continue. The Airport accommodates more leisure travelers, who typically travel with a greater number of bags and unusually-sized accompaniments such as golf clubs, water skis, surfboards, etc. Under the current system, passengers must wait in airline check-in lines to obtain a boarding pass; then carry their luggage to the nearest EDS machine. Overall, installation of an In-Line EDS at Orlando International Airport would result in significant operational cost savings for

TSA; recovered terminal capacity for the airport; and a return to customer-friendly expedited passenger processing. The total cost of the In-Line EDS Phase II System is estimated at \$100 million.

The Authority respectfully requests the Committee to include additional funding for the installation of In-Line Checked Baggage Explosive Detection Systems to enable TSA to execute additional Letters of Intent to airports such as Orlando International Airport.

Justification and Closing

Orlando International Airport remains steadfast in its commitment to help our Nation in its mission to protect our borders and homeland while enabling safe, efficient and timely movement of passengers and commerce.

Orlando International Airport (OIA) is one of the Central Florida's primary assets and has been designated as an U.S. Security Category X airport. In 2004, OIA served approximately 31.1 million passengers, surpassing Miami International Airport as the busiest commercial passenger airport in Florida. Additionally, OIA is the 12th busiest commercial service airport in the Nation and the 20th busiest in the world. In terms of origin and destination (O&D) passenger traffic at domestic airports, OIA ranked 5th behind Los Angeles International and traditional airline hub airports such as Las Vegas' McCarran International, Atlanta's Hartsfield International and Chicago's O'Hare International. O&D passengers represent approximately 95 percent of all passengers at OIA. This high level of O&D activity is expected to continue.

OIA has scheduled service to 82 non-stop domestic destinations and 19 non-stop international destinations, promoting increased airline service and competitive fares. The largest rental car market in the world is located at OIA. The airport shares a unique relationship with the regional economy. A completed Economic Impact Study determined OIA generates a \$20.7 billion annual economic impact on Central Florida and is responsible for 62,100 direct and indirect jobs.

The Authority expresses its gratitude for the opportunity to present this testimony to your Subcommittee. We look forward to working with you in advancing these safety and security initiatives that will benefit the National Aviation System.

PREPARED STATEMENT OF THE INTERNATIONAL ASSOCIATION OF EMERGENCY MANAGERS

Chairman Gregg, Ranking Member Byrd, and distinguished members of the Subcommittee, thank you for allowing me this opportunity to provide testimony on the President's fiscal year 2006 budget request for the Department of Homeland Security.

I am Dewayne West. As the Director of Emergency Services for Johnston County, North Carolina, I supervise the Emergency Management program, the Fire Marshal's Office and Emergency Medical Services. I currently serve as the President of the International Association of Emergency Managers (IAEM) and am providing this testimony on their behalf. I am also a Certified Emergency Manager (CEM), a member and past president of the North Carolina Emergency Management Association, and the Vice Chairman of the Emergency Management Accreditation Commission (EMAP). I was recently appointed by the Governor to serve on the N.C. State Emergency Response Commission (SERC).

The International Association of Emergency Managers has over 2,600 members including emergency management professionals at the State and local government levels, the military, private business and the nonprofit sector in the United States and in other countries. Most of our members are city and county emergency managers who perform the crucial function of coordinating and integrating the efforts at the local level to prepare for, mitigate the effects of, respond to, and recover from all types of disasters including terrorist attacks. Our members include emergency managers from large urban areas as well as rural counties.

We appreciate the support the Subcommittee has given to emergency management in the past 2 years and especially appreciate your support for the Emergency Management Performance Grants and your strong support for and the all hazards mission.

We respectfully request your assistance on two issues.

Emergency Management Performance Grants (EMPG)

—Request the \$10,000,000 funding cut be rejected and the amount increased to \$280 million to begin addressing the shortfall.

- Request that EMPG funding be maintained in a separate account as in the fiscal year 2005 Congressional action and not combined with other grant programs.
- Hazard Mitigation Grant Program (HMGP)
- Request that the legislative language proposed in the budget to reduce the formula for States with enhanced plans from 20 percent to 12.5 percent be rejected.
- Request HMGP formula for States with basic mitigation plans be restored to 15 percent of FEMA eligible cost.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS (EMPG)

Increase funding for EMPG.—Appropriations Committee report language referred to the program as “the backbone of the Nation’s emergency management system.” In order to maintain this system and build the capacity required to meet the greatly increasing demands, additional investment is needed.

However, the President’s Budget request for fiscal year 2006 proposes to reduce the funding from the \$180,000,000 appropriated in fiscal year 2005 to \$170,000,000. According to a biennial study conducted by the National Emergency Management Association (NEMA) in 2004 there is a shortfall of \$264 million. We respectfully request that EMPG be increased \$100 million over the fiscal year 2005 level for a total of \$280,000,000 to begin addressing this shortfall.

The Emergency Management Performance Grants (EMPG) constitute the only source of direct Federal funding for State and local governments to provide the foundation for basic emergency coordination and planning capabilities for all hazards, including those related to homeland security. The grants are pass through grants to State and local emergency management offices and are used predominately for personnel who plan, train, coordinate, and conduct exercises and other functions essential to effective preparedness, mitigation, response and recovery efforts.

EMPG grants require a 50 percent State or local match. Currently many local jurisdictions are receiving 20 percent or less. In addition many local jurisdictions receive no funding because of shortage of funds.

Natural disasters continue to remind us of the great need for preparedness and response coordination. In 2004 alone there were 68 federally declared disasters and 7 emergencies and local officials responded to many more disasters that were not federally declared. The size and scope of Hurricanes Charley, Frances, Jeanne and Ivan underscored the need for a strong national emergency system. Eight hundred personnel from thirty-eight States provided support to the affected States and communities through the Emergency Management Assistance Compact.

State and local emergency management programs are in desperate need of financial support if they are to continue to meet the requirements of all hazard planning and coordination as well as implement the President’s homeland security strategy in States, counties, cities and neighborhoods across America. Emergency managers must meet the challenge of bringing the emergency response planning and organizations in their States and communities in line with new Federal requirements contained in the National Incident Management System (NIMS), the National Response Plan (NRP), and numerous new and pending national standards for preparedness and response.

The new security concerns arising from the current world situation make the coordination and unifying role served by emergency managers more important than ever. Given continued support and funding, emergency managers have the skills, the expertise, and the willingness to rise to the planning and coordinating challenges presented by the full range of hazards affecting their communities.

Maintain EMPG as a separate account.—We also urge you to continue to maintain EMPG as a separate account. The President’s budget includes this program in the “State and Local” account with a number of other grant programs. EMPG is different from the other programs in this account. EMPG has existed for over 50 years and supports all hazards emergency management, including terrorism. In addition, it is a performance based continuing program with deliverables and requirements which must be met in order to receive funding the next year.

HAZARD MITIGATION GRANT PROGRAM (HMGP)

The Hazard Mitigation Grant Program which is authorized by Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act provides funding to States following a Presidentially declared disaster in an amount equivalent to a percentage of eligible FEMA funds. The monies are provided by the President’s Disaster Relief Fund and the costs are shared 75 percent Federal and 25 percent State

or local. These funds are critical to reducing the costs and impacts of future disasters by breaking the cycle of damage and repair and damage again.

Reject funding cut for States with enhanced plans.—The fiscal year 2006 budget request in the Disaster Relief account in the Emergency Preparedness and Response Directorate proposes the following legislative language which would amend the Stafford Act: Provided, that the post-disaster hazard mitigation set aside for States is 7.5 percent of eligible disaster costs: Provided further, That States with an Enhanced Mitigation Plan may receive up to 12.5 percent of eligible disaster costs.

This language would reduce funding available for post disaster mitigation to States with approved enhanced mitigation plans from an amount equivalent to 20 percent of eligible FEMA disaster costs to only 12.5 percent. Since the passage of the Disaster Mitigation Act of 2000 which added the 20 percent incentive, FEMA has strongly encouraged States to work toward these enhanced plans. The FEMA regulations stated “A State with a FEMA approved Enhanced State Mitigation Plan at the time of a disaster declaration is eligible to receive increased funds under the HMGP, based on 20 percent of the total estimated eligible Stafford Act disaster assistance.” The States of Missouri, Oklahoma, and Washington have achieved this goal and others have been diligently working toward it. This effort required a very significant commitment of resources from already overburdened State and community officials to develop a comprehensive mitigation program and requires States to take on significant additional responsibility. However, many States have committed to the additional effort because of the 20 percent incentive provided by Congress. The “carrot” of increased funding has been in the law over 4 years. Now that States have made the effort to achieve the goal, the Federal commitment should be kept. We urge you to reject the language lowering the percentage for States with Enhanced Mitigation Plans.

Restore Hazard Mitigation Grant Program (HMGP) to 15 percent.—The President’s budget language continues the HMGP program at 7.5 percent. The fiscal year 2003 Omnibus Appropriations bill changed the formula used to determine hazard mitigation funding from 15 percent to 7.5 percent of eligible disaster costs and provided funds for a new nationally competitive predisaster mitigation grant program. Citizens and elected officials are most receptive to undertaking projects and initiatives that prevent the loss of life and reduce destruction of property immediately after a disaster has occurred. States and communities regularly report that the demand for post-disaster grants exceeds the available funding. Now, with the HMGP funding reduced by half, many more of these post disaster opportunities are being missed. We urge you to restore HMGP to 15 percent.

Thank you for giving us the opportunity to provide this testimony. We would welcome the opportunity to provide additional information to the Subcommittee.

PREPARED STATEMENT OF THE NATIONAL EMERGENCY MANAGEMENT ASSOCIATION

INTRODUCTION

Thank you Chairman Gregg, Ranking Member Byrd, and distinguished members of the Committee for allowing me the opportunity to provide you with a statement for the record on the Department of Homeland Security (DHS) fiscal year 2006 budget. I am David Liebersbach, the President of the National Emergency Management Association and Director of the Alaska Division of Homeland Security and Emergency Management. In my statement, I am representing the National Emergency Management Association (NEMA), whose members are the State emergency management directors in the 50 States, the U.S. territories, and the District of Columbia. NEMA’s members are responsible to their governors for emergency preparedness, homeland security, mitigation, response, and recovery activities for natural, man-made, and terrorist caused disasters.

Over the past year, our Nation’s emergency management system has been tested by the extensive natural disasters that we have faced. In all, there were 68 major disaster declarations, seven emergency declarations, and 43 fire management assistance declarations. Our Nation bravely faced and responded to one of the most active hurricane seasons with impacts by tropical Storm Bonnie, Hurricanes Charley, Frances, Gaston, Ivan and Jeanne, while also dealing with other disasters like flooding, tornadoes, and earthquakes. We also watched the aftermath of the tsunami in the Indian Ocean and saw graphically illustrated the importance of catastrophic disaster planning and maintaining our own emergency preparedness and response system. In Alaska, we experienced the largest fire season ever, with fires impacting over 6.5 million acres and 10,000 square miles. At the same time, emergency management continues to prepare for the threat of terrorism with new requirements

coming from the Federal government such as updating State plans to reflect the National Response Plan (NRP), training emergency responders on the new National Incident Management System (NIMS), and implementing the National Preparedness Goal mandated by Homeland Security Presidential Directive 8 (HSPD 8) on National Preparedness with no additional Federal financial assistance to meet Federal mandates. The multi-hazards emergency management system continues to be the means to practice and exercise for devastating acts of terrorism, while at the same time preparing the Nation for hurricanes, tornadoes, hazardous materials spills, and floods. We respectfully ask for your Committee to consider the role of emergency management as you address the fiscal year 2006 appropriations.

All-hazards preparedness is in danger of being regarded as a thing of the past as more focus is being placed on terrorism. We must ensure that our capability to deal with many hazards, including terrorism remains intact and that we do not shift our focus to preparedness for a single peril. The capability to coordinate an effective response to an event does not change by the type of disaster. The HSPD 8 process shows the increased focus on terrorism with only 2 of the 15 disaster scenarios representing traditional natural disasters. The all-hazards approach relies upon the maintenance of plans, trained personnel to carry them out, and supporting infrastructure in the form of emergency operations facilities with inter-operable communications. We must continue this approach in practicing and exercising for all emergencies, to include devastating acts of terrorism, as well as day-to-day emergencies. We cannot afford to lose the system we have in place to deal with all disasters in order to build new infrastructure for homeland security's sake.

The Department of Homeland Security budget provides critical support to State and local emergency management programs through actual dollars, grants, and program support. This year, NEMA would like to address three main issues with the proposed Federal budget for Department of Homeland Security.

- Extreme concern for proposed cuts to the Emergency Management Performance Grant (EMPG) program while requirements increase for State and local governments;
- The need to address massive shortfalls in updating Emergency Operations Centers (EOCs); and
- Concern about the reduced formula for the post-disaster Hazard Mitigation Grant Program (HMGP).

EMERGENCY MANAGEMENT INFRASTRUCTURE FUNDING

The Emergency Management Performance Grant (EMPG) is the only all-hazards emergency preparedness grant program in support of capacity building at the State and local level. At a time when we are aiming to build the system, additional resources and funding is needed to sustain State and local emergency management. The State and local government partnership with the Federal Government to ensure preparedness dates back to the civil defense era, yet increased responsibilities over the last decade have fallen on State and local governments. With the recent expanded focus on terrorism and the increased demands of the Federal Government to assist in implementation of Federal initiatives like the NRP, the NIMS, and HSPD 8, EMPG becomes more important as a means to ensure State and local involvement and compliance with new systems.

The President's budget proposal will have a devastating impact on the Nation's emergency management system at the same time that responsibilities are increasing for new and emerging hazards. The proposal decreases funding for the EMPG program by \$10 million. These cuts mean that emergency management would be saddled with increased mandates, while coping with decreases to an already modest budget. In budget consideration for fiscal year 2003 and 2004, Congress has affirmed the importance of EMPG in appropriations bills in language addressing the significance of the program and increased the levels of funding for the program twice. Prior to these increases in fiscal year 2003 and 2004, the program had been straight lined for over a decade. Additionally, Congress affirmed the intent of the program as all-hazards and dedicated to supporting personnel during consideration of the fiscal year 2005 budget. NEMA is appreciative of Congress' recognition of the EMPG program, but this year we respectfully ask that Congress aggressively address the programs shortfalls with an additional \$100 million in funding for EMPG for fiscal year 2006.

EMPG is the only all-hazards program that State and local governments can use to build their emergency management capacity. The grants can be used for personnel, planning, training, exercises, warning systems, emergency operations centers, public outreach, and interagency coordination. EMPG is a flexible program that allows State and local governments to tailor funds to address the specific risks

and needs of their jurisdiction. While it is called a grant, EMPG is really a 50/50 cost-share system which ties together the emergency management system of local, State, and Federal Governments. Every dollar contributed by the Federal Government is doubled with State and local contributions. EMPG's modest Federal increases in 2003 and 2004 helped the program grow, but shortfalls continue to force an unequal burden on state and local governments. States are continuing to increase their out of pocket costs in order to ensure there is adequate funding for local programs. In fact, a 2004 NEMA study found that there is approximately a \$264 million shortfall in EMPG for all 50 States. This means that many communities that would like to implement a full-time, professional emergency management capability cannot do so because of shortfalls in Federal funding. Further, EMPG is primarily used as a pass-through program for local governments, so the shortfall affects our smallest localities that are often those most in need of emergency preparedness planning. Currently, States and local governments are over matching the Federal Government's commitment to national security protection through EMPG by \$96 million according to the same 2004 NEMA study.

During last year's hurricane season, the interdependencies of the Nation's emergency management system were tested through the Emergency Management Assistance Compact (EMAC). The state-to-state mutual aid compact enabled 38 States to provide assistance in the form of more than \$15 million in human, military, and equipment assets and over 800 personnel to support the impacted States for over 85 days of continuous response operations. The nature of the Nation's mutual aid system vividly shows the need for all States to have appropriate capabilities for all disasters. Additionally resources are needed to build emergency response capabilities on a national basis and to ensure the system can handle the demand of natural disasters and other emergencies no matter where they occur. EMPG is the only means to support this assistance that can be offered by other States in the face of disaster through adequate preparedness. EMPG ensures all States have funding to develop and maintain a base level capacity that can be utilized by other States for mutual aid.

While terrorism continues as a major focus at this time, we must balance preparedness efforts by integrating terrorism as one of the many threats facing our Nation, rather than the current approach of making all other preparedness efforts a subset of terrorism. Further, Homeland Security Presidential Directive 8 States that, "to the extent permitted by law, Federal preparedness assistance will be predicated on the adoption of statewide comprehensive all-hazards preparedness strategies." The all-hazards approach cannot be dismissed based upon the assumption that one threat is greater and more significant than the other. After all, no one really has a crystal ball to predict what the next disaster or emergency may be. Yet, the Federal requirements tied to homeland security are not funded. Focus and resources will have to be taken away from other preparedness initiatives in order to address these new demands. Our system for day-to-day public safety and homeland security must be mutually supportive and nimble enough to address any hazard.

Last year, Congress affirmed the Department of Homeland Security's (DHS) intent to create a "one stop shop" for homeland security funding. As the fiscal year 2005 funding has been processed, NEMA has been working alongside the Office of State and Local Coordination and Preparedness (OSLCP) to ensure that the all-hazards intent of the program is not changed. Additionally, OSLCP is looking at ways to improve the program also in coordination with NEMA. However, because DHS is a new Department with a new and developing financial management system the changeover has not been without significant delays in the amount of time that it takes for States to get their funding. In fact, homeland security funding including EMPG is processed through the legacy Department of Justice system that was used before the Office for Domestic Preparedness was transferred into DHS. Additionally, integrating EMPG funding into the homeland security grant program means that in more than half of the States, another layer of bureaucracy is added because only half of the Nation's emergency managers serve as the State administering agency (SAA). In these cases, it takes even longer for emergency management agencies to access the EMPG funding once it is awarded. This has a domino effect as delays are then experienced by local governments that receive EMPG monies. NEMA has received reports of situations in which county emergency management programs were on the verge of shutting their doors because they had expended their match funds while Federal funding continued to lag. In most States, EMPG funds were not received until 6 months into the Federal fiscal year. NEMA hopes to work collaboratively with Congress and OSLCP to resolve these issues in the coming year to ensure swifter grant awards in fiscal year 2006. Specifically, we ask that Congress de-couple the Emergency Management Performance Grant which is an all-haz-

ards, 50/50 match program from the homeland security grant program which is terrorism focused with different and longer-term requirements.

The Federal Government must continue the commitment to ensuring national security through all-hazard preparedness. Without adequate numbers of State and local personnel to operate the all-hazards emergency management system, the infrastructure used to prevent, prepare for, respond to, and recover from all disasters will collapse. Congress must ensure predictable and adequate funding levels for the program.

EMERGENCY OPERATIONS CENTERS

Emergency Operations Centers (EOCs) serve as the nerve center as well as the State and local government coordination point during disasters and emergencies. In fiscal year 2002 and 2003, a total of \$81 million was appropriated to the Federal Emergency Management Agency to address Emergency Operations Centers (EOCs) improvements. The \$81 million was allocated to States to begin the planning process to assess the necessary infrastructure and security improvements and security measures to be taken. Since then, no dedicated Federal funding has been provided for the implementation of these plans. Many State and local facilities are out of date; do not have the interoperable technology to coordinate with the Federal Government or among State and local levels; and lack adequate security features. Federal assistance is necessary to match State and local commitments to upgrade their EOCs as an integral part of the Nation's emergency response system. According to a 2004 NEMA survey, it is projected that more than \$1.6 billion will be needed to construct and maintain State and local primary and alternate EOCs over the next 2 to 5 years. This includes the costs to consistently upgrade equipment, buildings, and software, train personnel, and conduct operations during emergency and non-emergency situations. NEMA calls on Congress to assist in addressing this shortfall and immediate need. When Congress did begin to address this shortfall, the match requirement was lowered to 25 percent for State and local governments. Congress should make a \$160 million commitment this year as a down payment to addressing the shortfall, or EOCs will fall further behind.

HAZARD MITIGATION GRANT PROGRAM & PREDISASTER MITIGATION

NEMA supports efforts by the Congress and the Administration to continue both pre- and post-disaster mitigation activities. NEMA calls on Congress to restore the post-disaster Hazard Mitigation Grant Program (HMGP) formula to 15 percent and maintain the formula at 20 percent for "enhanced plan" States. Disasters present the opportunity to learn from past mistakes and to also take advantage of the lessons learned during the disaster. This means funding for utilizing elevations and buy-outs as tools and building warning systems and shelters.

Effective February 20, 2003, Congress changed the formula for post-disaster mitigation grants from 15 percent to 7.5 percent. This change limits the availability of funds for post-disaster mitigation and prevents the lessons learned from disasters from being immediately incorporated into mitigation projects to prevent loss of life and destruction of property. The months immediately following disasters provide unique opportunities to efficiently incorporate risk reduction measures in a very cost-effective manner, in many cases lowering the overall cost of the project by leveraging other funding sources including insurance settlements. We ask that you restore the formula to 15 percent this year in order to address mitigation needs.

This year, the Administration is proposing to decrease the post-disaster formula for "enhanced plan" States as well. Last year, all States were required to complete hazard mitigation plans and to have them approved by the Federal Emergency Management Agency (FEMA). As a result of changes made to the Stafford Act in the Disaster Mitigation Act of 2000, States could opt to do more work and planning in order to qualify for enhanced plans. Thus far, three States (Missouri, Washington, and Oklahoma) have qualified to receive the 20 percent formula as enhanced plan states, and many more States are pursuing enhanced plans for approval. But, the Administration is proposing to lower the enhanced plan formula to 12.5 percent of disaster costs, reducing the incentives for States to make the investment to seek enhanced plans. Further, this will limit even more the mitigation opportunities that are addressed in disaster-prone States.

The HMGP has proven to be a highly effective tool in steering communities toward risk reduction measures, in many cases breaking repetitive loss cycles that have cost other Federal disaster relief programs multiple times. Cost-benefit analysis is currently a requirement for predisaster mitigation programs. We must not lose these opportunities to initiate projects to enhance our communities and reduce

future disaster costs. HMGP must be restored and the enhanced plan formula must be maintained.

HOMELAND SECURITY GRANT PROGRAM

Congress has made significant attempts to ensure that the Homeland Security Grant Program is streamlined and provides greater flexibility. We appreciate the attention and funding that the Congress has given to ensuring emergency responders are adequately prepared for domestic terrorism threats. Emergency responders are better prepared today to face the various threats associated with terrorism because of the Federal commitment to address the war on terrorism that is being played out in our States, cities, and towns. States continue to take an all-hazards approach to disaster preparedness as we have integrated our domestic preparedness efforts into the proven systems we already use for dealing with both man-made and natural disasters.

Funding Levels

We continue to be concerned about cuts in the President's budget proposal for homeland security that has been dedicated to improving emergency responder preparedness for homeland security. The Federal Government must maintain its commitment to ensure that homeland security preparedness continues and the Constitutional responsibility to maintain a national defense is not compromised. Continuity of effort can only be maintained by State and local governments with adequate Federal support, especially when it deals with the front line emergency responders. Reductions in funding will immediately be translated into reductions in prevention, protection, and preparedness activities. Regional collaboration and mutual aid are critical components of the National Preparedness Goal. If the Federal Government provides adequate funding to the States for the necessary resources to be put in place to respond to any event, then the Federal Government is supporting one of the key overarching goals of the National Preparedness Goal. Further, continued or increased funding should not take away from traditional all-hazards capacity building programs for public safety, public health, and emergency management.

Congressional Legislation to Simplify the Grants Process

As Congress considers legislation to address and reform the Homeland Security Grants, we ask that you take NEMA's suggestions into consideration. The suggestions include the following:

- Each State must have a base minimum level of funding to ensure the capacity to respond to any event. Such capacity is necessary for homeland security because of the changing nature of the threat and also because of the importance our emergency system places on mutual aid to respond to events;
- All efforts to increase emergency management capacity must be coordinated through the States to ensure harmonization with the State emergency operations plan, ensure equitable distribution of resources, and to synthesize resources for intra-state and inter-state mutual aid. Also, the Stafford Act, which governs the way disaster assistance is allocated, successfully uses States and Governors as the managers of Federal disaster relief funds for local governments, which can become overwhelmed and in need of assistance when disasters occur.
- States understand the need to get funding quickly to the first responders and have long coordinated statewide and regionally to ensure adequate State assistance to local governments for emergency preparedness and response; and
- Traditional emergency management capacity building programs like EMPG must be continued as separate and distinct from the homeland security grants programs.

Fiscal Conditions and Match Requirements

Further, because the war on terrorism is a national emergency and States and local governments continue to be in the toughest fiscal situations since the deep recession in the early 1980s, we must be wary of programs that would require significant matches. In fact, for local governments to meet the match would be even more difficult given their fiscal constraints. If a significant match is required, the application of this initiative will only go to those agencies and governments that can fiscally afford the match and not necessarily where the need is greatest. If a match is necessary, we would suggest that the match be non-fiscal or in the form of a deliverable as opposed to soft or hard dollars. Waivers may be a way for the Federal Government to also address the lack of capital for a match when State and local governments are experiencing fiscal distress.

Flexibility for Personnel to Manage the Program

Greater flexibility to use some of the first responder grants for personnel both at the State and local level to manage the programs is critical to completing the preparedness mission. As an existing funding stream, EMPG is used in part to fund State and local staff to manage critical programs including the homeland security grants. The First Responder Grants should recognize that personnel are necessary to manage these programs, particularly when rigid deadlines are set for obligating millions of dollars and accountability is paramount. Additionally, new needs such as intelligence fusion personnel must be recognized. As HSPD 8 deadlines loom, States will be faced with a new set of requirements that could be tied to funding. Simply hiring contractors to do the work is not a long-term solution for building and maintaining national preparedness capabilities. State and local government, emergency management, and responder organizations are already working at a maximum capacity within existing resources and need Federal support for more than the purchase of equipment and exercises. Flexibility based on strategic approaches should be the norm, not single-issue, narrowly focused grants.

NATIONAL HOMELAND SECURITY CONSORTIUM

The National Homeland Security Consortium is a voluntary, education and outreach group representing State homeland security advisors, State and local law enforcement, emergency management, fire, public health, EMS, National Guard, public works, emergency communications, State and local elected officials and private sector partners. The Consortium was established in 2003 by the National Emergency Management Association and was endorsed by former DHS Secretary Tom Ridge in September 2004. This comprehensive group of subject matter experts offers itself as a technical resource and sounding board for the Department of Homeland Security as they develop and implement new policies and programs. The Consortium represents State and local officials on the ground, in city hall and in the statehouses charged with the responsibility of homeland security and overall public safety. The group is meeting again in May to provide another opportunity for all disciplines and levels of government involved in emergency prevention, preparedness, response and recovery to come together to continue to share information, develop solutions to common challenges and build relationships that will enhance State and local homeland security capabilities. The Consortium serves as a model for intergovernmental coordination and demonstrates the commitment of State and local governments to collaboratively address the complex challenges of homeland security.

CONCLUSION

While we as a Nation are fortunate that another year has passed without a terrorist incident on our Nation's soil, we must continue to build national preparedness efforts with a multi-hazard approach. We must be prudent and thoughtful in addressing homeland security enhancements to our existing emergency preparedness and response system. In this year's appropriations process Congress will make critical decisions that shape the future of emergency management in this country. As you begin your consideration, we ask you to recognize the importance of adequately funding the EMPG program in building capacity through people at the State and local level for all disasters. I thank you for the opportunity to testify on behalf of NEMA and appreciate your partnership.

PREPARED STATEMENT OF THE NATIONAL FLOOD DETERMINATION ASSOCIATION

Mr. Chairman and members of the Subcommittee, the National Flood Determination Association (NFDA) strongly supports the Budget Request for the Flood Map Modernization Presidential Initiative. This major project to update and modernize the Nation's flood risk maps is critical to the functioning of the National Flood Insurance Program (NFIP) and to protection of property through effective floodplain management.

The NFDA is a professional association of companies which provide flood zone determinations to lenders for compliance with the mandatory purchase requirements of the NFIP. The association represents some two thirds of the industry and has implemented a certification program containing standards for flood zone determination companies. Because the FEMA flood maps are the official documents for compliance with the NFIP, flood determination companies are probably the most frequent users of the maps. A survey of the NFDA membership reveals that it has completed approximately 33,000,000 determinations in the year 2003.

Flood maps are used both to determine which properties are in or out of a Standard Flood Hazard Area (SFHA) and also are used by county and community officials to plan development and to reduce future risk.

Approximately 70 percent of the maps are 5 years and older, 45 percent at least 10 years old, and more than 2,200 flood prone communities remain without flood hazard maps. The current process utilized by FEMA to produce an updated map is 58 months. More than 20,000 map panels identified as requiring updates, meaning they have outdated or inadequate flood hazard data requiring updates through field reconnaissance, engineering analysis and floodplain mapping utilizing improved analysis methodologies. The detailed flood studies will include "approximately studied" and "unstudied" flood-prone communities. There are more than 40,000 maps with adequate flood hazard data but inadequate non-engineering data and reference features such as roads. New elevation reference marks will be developed and implemented emphasizing the use of GPS surveying technology and a network of approximately 580,000 benchmarks.

Complaints to lenders, flood determination companies, and realtors dramatized the problems caused for real estate transactions when maps do not reflect true risk. Over a 10 or 20 year period, development, road building and re-grading of land significantly alter flood risk.

The NFDA has been extremely gratified that the Administration has recognized the real need to update and modernize the flood maps. As the Map Modernization project develops, however, we have some concerns about the update component. Updating the maps, particularly in high growth areas, requires a full restudy which includes engineering, surveying, hydrology and hydraulics. It should be noted that such extensive restudy is not needed everywhere as the water flow and retention properties may not have changed much over the years. Because the updates require more time and investment, we are worried that insufficient analysis is being undertaken in order to complete action on maps more quickly. The quantitative requirements by which the map modernization is judged may be moving away from the restudies and toward limited revisions and digitization. Such a newly issued map, with a new date, can be very misleading. Flood determinations done using these "new" maps will continue to generate complaints.

To do justice to the national investment in good flood risk maps, there may need to be some adjustment to the quantitative standards by which the program is evaluated. It may not be possible to complete the job in the originally projected 5 years.

Some technical coordination issues have also become apparent. It is key that the map modernization process and product reflect the needs and requirements of map users. For this reason, we strongly urge the establishment of a stakeholder advisory group. This could be modeled on the successful Technical Mapping Advisory Board established for 5 years by the Flood Insurance Reform Act of 1994. It is our understanding that FEMA has been looking into creating this kind of advisory board. We urge the Committee to support this effort.

We were aware of a possibility last year that certain (at the time) funds not obligated to map modernization could be redirected to other needs of the Department of Homeland Security. Because it is becoming very clear that the Nations' flood map modernization needs are extensive, we are concerned about any redirection of funds appropriated for the Flood Map Modernization Initiative.

The National Flood Determination Association remains committed to working with FEMA to achieve the updated, modernized national flood risk maps we all need. We urge the Committee to approve the full budget request of \$200 million.

PREPARED STATEMENT OF THE OHIO DEPARTMENT OF CHIEFS OF POLICE, INC.

Chairman Gregg, Ranking Member Byrd and Distinguished Members of the Subcommittee, thank you for the opportunity to provide a statement for the record regarding the fiscal year 2006 budget proposal for the Department of Homeland Security.

Our names are Director Kenneth L. Morckel, Ohio Department of Public Safety and Director Todd N. Wurschmidt, Ph.D., Ohio Association of Chiefs of Police (OACP). Director Morckel is the designated head of Homeland Security efforts in Ohio as appointed by Governor Bob Taft. Dr. Wurschmidt oversees staff operations for the OACP and is involved in managing the statewide effort and information sharing between Ohio law enforcement agencies.

We respectfully request consideration on restoring a separate line item in Homeland Security funding for the category, "LETPP—Law Enforcement Terrorism Prevention Program." Highlights of our statement include:

- Prevention, Such As Information Sharing, Involves 100 percent of America’s Law Enforcement Agencies
- Terrorists Can Plan Anywhere, Thus Involving 100 percent of America’s Geography
- Preventing Terrorism Is Not UASI¹ Urbans Versus SARASI² Suburban and Rurals
- Law Enforcement’s Prevention Role Should Not Be Formula Funded At the Expense of Law Enforcement’s First Responder Role
- Proposed fiscal year 2006 Budget Cuts For Suburban and Rural Prevention and Responder Efforts Total 32 percent

Have you heard of Lyman Faris? Probably not. In 2003, Mr. Faris was making plans to blow up the Brooklyn Bridge. He was NOT living in Manhattan. Mr. Faris was apprehended outside of Columbus, Ohio. Had the Brooklyn Bridge gone down, we probably would have all known Mr. Faris’s name well.

Heard of Azmi Al-Jayyusi? Probably not. In 2004, Mr. Al-Jayyusi headed up a sophisticated plot, designed in the small villages in Jordan, in which trucks, chemicals and explosives were surreptitiously purchased for purposes of blowing up select strategic targets (including the American Embassy) in the capital of Jordan, Amman. It was estimated the chemical explosives would have caused the deaths and injuries of 250,000 civilians. Once again, the urban city was not Mr. Al-Jayyusi’s site for plotting and preparing; it was the rural countryside. Had Mr. Al-Jayyusi’s terrorist plot been successful, we could probably recite his name easily as well.

Heard of Ted Kazenski, the Unabomber? Yes, of course. Why? Because this domestic terrorist was successful in reeking widespread fear, his deeds carried out from the isolated forests of rural Montana. How about Eric Rudolph, the Abortion Clinic Bomber? Yes? Mr. Rudolph’s eventual capture occurred during late night, at the site of a trash bin, behind a business in the small North Carolinian town of Murphy; a rural apprehension.

“All across our Country we’ll be able to tie our terrorist’s information to local information banks so that the front line of defeating terror becomes activated and real, and those are the local law enforcement officials. We expect them to be part of our effort; we must give them the tools necessary so they can do their job.” President George W. Bush, February 2003

As President Bush so accurately notes, preventing domestic and international terrorism requires enlisting the commitment and involvement of 100 percent of America’s geography and 100 percent of America’s law enforcement agencies.

Geography.—In the United States, there are 3,042 counties. There are only 60 to 65 counties within the UASI (Urban Area Security Initiatives) areas as designated by the U.S. Department of Homeland Security (Map 1). That leaves some 2,980 counties within the non-UASI, non-urban areas involved in preventing, detecting, deterring and disrupting terrorism (Map 2).

Successful terrorism prevention requires that these 2,980 SARASI counties (Suburban and Rural Area Security Initiatives) continue to receive LETPP³ funds commensurate with their percentage geography, and commensurate with the need to prepare, equip and train all local law enforcement, urban, suburban and rural.

L/E Agencies.—This Nation’s terrorism fight requires our enlisting the aid and commitment of all of America’s 19,000 law enforcement agencies. Over 80 percent of U.S. law enforcement agencies are located outside the UASI cities, and within the SARASI counties, towns and villages. Less than 20 percent of America’s law enforcement agencies are in UASIs. Yet, proposed fiscal year 2006 prevention funding is weighted toward 50 large cities and decreases funding allocations available to the over 80 percent of America’s suburban and rural law enforcement agencies (Table 1).

TABLE 1.—UASIS⁴ VERSUS SARASIS⁵ IN PREVENTING, DETECTING, DETERRING AND DISRUPTING DOMESTIC AND INTERNATIONAL TERRORISM

[Prevention (E.G. Information Sharing) Involves 100 Percent of U.S. Law Enforcement Agencies]

	Total U.S.	UASIs	SARASIs
Counties:			
Number	3,042	60–65	2,980

¹ UASAI=Urban Area Security Initiative.

² SARASI=Suburban and Rural Area Security Initiative.

³ LETPP=Law Enforcement Terrorism Prevention Program.

TABLE 1.—UASIS⁴ VERSUS SARASIS⁵ IN PREVENTING, DETECTING, DETERRING AND DISRUPTING DOMESTIC AND INTERNATIONAL TERRORISM—Continued

[Prevention (E.G. Information Sharing) Involves 100 Percent of U.S. Law Enforcement Agencies]

	Total U.S.	UASIs	SARASIs
Percent	100	2	98
Law Enforcement Agencies:			
Number	About 19,000	About 3,500	15,500
Percent	100	18	82

⁴ UASIs=Urban Area Security Initiative.

⁵ SARASIs=Suburban and Rural Area Security Initiative.

“Preventing terrorism equates to intelligence” (eg. information sharing). Congressman Christopher Cox (R-CA), Chair, Homeland Security Committee, U.S. House of Representatives, February 2005.

In fiscal year 2004, the President and Congress identified the unique role of law enforcement in the Nation’s fight against terrorism. That unique role of law enforcement is prevention. Thus, within the U.S. Department of Homeland Security’s grant programs, the “Law Enforcement Terrorism Prevention Program” (LETPP) was created. In the above television interview, Chairman Cox emphasized the need for prevention, intelligence and information sharing. Prevention, intelligence and information sharing can only be achieved with 100 percent involvement of America’s law enforcement agencies.

Although the proposed fiscal year 2006 President’s budget collapses grant fund categories and incorporates LETPP funding into UASI and SHSGP⁶ categories, the loss of the separate LETPP funding category will:

- Greatly restrict suburban and rural law enforcement from moving forward on prevention efforts such as information sharing;
- Increase the likelihood that local law enforcement will not be fully funded on prevention plus their responder roles because of the funding needs by all other public safety first responder and health agency groups; and
- Greatly restrict funding for law enforcement’s responder roles because of formula funding that could be interpreted as having funded law enforcement because of the 20 percent prevention mandate.

Below we offer explanations for these potential complications.

“Smaller States would see an 80 percent cut according to the proposed fiscal 2006 budget. That’s not just a small drop. That’s a leap off the cliff.” Senator Susan Collins (R-Maine), Chair, Senate Homeland Security and Governmental Affairs Committee.

The four-fold purposes of this document are to respectfully request the U.S. Congress:

- Reinstate the Homeland Security funding category of “LETPP—Law Enforcement Terrorism Prevention Program” as a separate line item funding category;
- Restrict the use of formula funding to require a threshold percentage of funding be directed toward prevention versus response efforts;
- Avoid funding allocations that will have UASI urban cities funded to the detriment of all other counties, towns and villages involved in the prevention of terrorism; and
- Avoid melding the prevention plus responder roles of law enforcement into one funding category used to fund responder functions for all other first responder public safety and health agency forces.

The original purpose of the fiscal year 2004 LETPP was to “seek to provide law enforcement communities with enhanced capabilities for detecting, deterring, disrupting, and preventing acts of terrorism.”⁷ It should be noted that the mission statement identified “law enforcement communities,” not just urban area law enforcement communities.

The LETPP program funding category provided law enforcement communities with monies to pursue five program areas: (1) information sharing; (2) target hardening; (3) threat recognition; (4) intervention activities; and (5) interoperable communications.

The President’s 2006 Proposed Budget from the U.S. Department of Homeland Security will inhibit efforts to build forward on terrorism prevention and first responder work of local law enforcement officials. The program budget review docu-

⁶ SHSGP=State Homeland Security Grant Program.

⁷ Fiscal year 2004 Homeland Security Grant Program: Program guidelines and application kit, U.S. Department of Homeland Security, page 38.

ment for fiscal year 2006 “State Homeland Security Grants Program” (as prepared by the Office of State and Local Government Coordination and Preparedness, U.S. Department of Homeland Security) shows a total appropriation budget request of \$1.242 billion or, a \$482 million reduction from the \$1.725 billion homeland security funds approved for fiscal year 2005.⁸ This loss of half a billion dollars from thousands of public safety agencies’ budgets will greatly reduce suburban and rural terrorism prevention and first responder efforts (Table 2 and Table 3).

The philosophical and strategic argument for increasing funds for the Nation’s UASIs (Urban Area Security Initiatives) appears to involve the adoption of “risk assessment” as opposed to population formula for allocation of Homeland Security funds. The argument being put forward is that the major cities will, in greater probability, be the location of future terrorist attacks. Then, the argument of logic is furthered that these major urban centers need more monies to adequately prepare to prevent and respond. This argument should also recognize the significant role that all of this Nation’s law enforcement agencies play in prevention efforts—to “detect, deter, disrupt and prevent acts of terrorism.”

TABLE 2.—PROPOSED \$480 MILLION (32 PERCENT) LOSS IN PREVENTION AND RESPONDER FUNDING FOR THE 2,980 SARASI⁹ COUNTIES

[All suburban and rural prevention and responder efforts by fire, EMS, EMA, health and police will experience a 32 percent total cut in fiscal year 2006]
[In millions of dollars]

	Fiscal year 2005 enacted	Fiscal year 2006 request	Change
SHSGP ¹⁰	1,100	1,020	(80)
LETPP ¹¹	400	(400)
Total Funding to Suburban & Rural SARASIs	1,500	1,020	(480) (32 percent cut)

⁹ SARASI=Suburban and Rural Area Security Initiative.
¹⁰ SHSGP=State Homeland Security Grant Program.
¹¹ LETPP=Law Enforcement Terrorism Prevention Program.

TABLE 3.—WITH THE PROPOSED FISCAL YEAR 2006 20 PERCENT FORMULA FUNDING FOR LETPP¹², FUNDING FOR JUST RESPONSE EFFORTS BY SUBURBAN AND RURAL PUBLIC SAFETY FORCES WILL BE CUT BY (\$284 MILLION) (26 PERCENT CUT) FROM FISCAL YEAR 2005

[Proposed fiscal year 2006 First Responder cuts to SARASIs amount to a 26 percent cut from fiscal year 2005 funding levels]
[In millions of dollars]

	Amount		Amount
Fiscal year 2006 Request SHSGP ¹³	\$1,020	SARASI First Responder fiscal year 2005	\$1,100
Formula Funding percent to LETPP	204	SARASI First Responder fiscal year 2006	816
Balance to First Responder SARASIs ¹⁴	816	Loss to SARASI First Responders	(284)

¹² LETPP=Law Enforcement Terrorism Prevention Program.
¹³ SHSGP=State Homeland Security Grant Program.
¹⁴ SARASI=Suburban and Rural Area Security Initiative.

Prevention of terrorism needs the involvement of 100 percent of the law enforcement community throughout the Nation. Although the probability of a future terrorist attack may involve major urban areas, the prevention of future terrorist attacks must involve all 19,000 law enforcement agencies throughout the 3,042 counties in the United States.

Information Sharing as Prime Example: Information sharing amongst law enforcement agencies is as critical as President Bush noted in his February 2003 comments noted earlier, and as reinforced by U.S. House Homeland Security Chair Congressman Cox’s February 2005 comments noted previously. Of the five program areas authorized in 2005 for LETPP Homeland Security funding, information sharing between law enforcement agencies is listed first. Effective information sharing requires linking information systems for all 19,000 law enforcement agencies, not just crime data systems within UASI agencies.

As example, the “Ohio Local Law Enforcement Information Sharing Initiative,” as supported by the Ohio Department of Public Safety and managed by Ohio Attorney General Jim Petro’s Office and the Ohio Association of Chiefs of Police, involves the

linking of Record Management Systems (RMS) between the nearly 1,000 law enforcement agencies in Ohio. Approximately 18 percent of the Ohio law enforcement agencies are within the four Ohio UASI regions, while 82 percent of the law enforcement agencies are within Ohio's 84 SARASI counties.

The cost of linking all nearly 1,000 Ohio law enforcement agency RMS systems approximates \$20–25 million. The linking of any given single agency is on, average, approximately the same, whether located in an UASI region or SARASI region. Thus, of the total cost for Ohio's Information Sharing Project, \$3.5 million to \$4.5 million must be allocated for UASI located agencies, while \$16.5 to \$20.5 million must be directed toward the law enforcement agencies in the SARASI counties (Table 4).

TABLE 4.—OHIO INFORMATION SHARING PROJECT—COST TO LINK THE 18 PERCENT OHIO UASI¹⁵ AGENCIES AND THE 82 PERCENT OHIO SARASI¹⁶ AGENCIES

[The proposed fiscal year 2006 LETPP budget formula will only direct up to 50 percent of the LETPP to Non-UASI or SARASI areas, while Ohio's suburban and rural SARASI agencies will need 82 percent of prevention funds to complete one aspect of prevention, i.e., information sharing between agency RMS systems]

[In millions of dollars]

	No. of counties	No. of agencies	Cost of connect agency RMSs ¹⁷
Ohio UASIs:			
Number	4	about 175	\$3.5–4.5
Percent	4.5	17	17
Ohio SARASIs:			
Number	84	about 825	\$16.5–20.5
Percent	95.5	82	82
Total	88	about 1,000	\$20–25

¹⁵ UASI=Urban Area Security Initiative.

¹⁶ SARASI=Suburban and Rural Area Security Initiative.

¹⁷ RMS=Record Management systems.

The U.S. Department of Homeland Security's fiscal year 2006 Budget proposes the cost for information sharing prevention efforts be allocated as a 50/50 split between UASIs and SARASIs. LETPP dollars have been incorporated within the UASI and State Homeland Security Grant Programs. By approaching 2006 LETPP funding using formula percentages, States will no longer have the flexibility to allocate necessary dollars to accomplish full information sharing.

In addition, the proposed U.S. Department of Homeland Security fiscal year 2006 Budget also begins to increase the potential for funding competition between law enforcement and all other public safety first responder agencies. In the fiscal year 2004 and fiscal year 2005 budgets, Homeland Security separated the law enforcement prevention role by having the separate LETPP line item. By separating LETPP from the State Homeland Security grant programs, response issues for all First Responders (including law enforcement) were debated and explored within the funds allocated to the "State Homeland Security Grant Programs." Prevention issues did not have to be co-mingled with response discussions because LETPP existed as a separate line item.

By collapsing the LETPP program within the State Homeland Security grant program, non-law enforcement First Responders (Fire, EMA, EMS, Health) may be inclined to restrict additional funding needs of law enforcement, be they prevention or response needs, because 20 percent has already been required for law enforcement. The predictable concern will be, "Why should law enforcement get 22 or 30 or 40 percent of funding, when Congress has already assigned 20 percent of funds for police."

The proposed 20 percent formula funding of LETPP will restrict prevention efforts for the suburban and rural communities and counties, potentially increase competition between law enforcement versus all other first responders, and further inhibit police response role issues to be separated from prevention role issues.

Additionally, all suburban and rural first responders will experience reductions from the fiscal year 2005 \$1.1 billion allocated to State grants. With the proposed formula allocation of \$204 million incorporated within the State Homeland Security Grant Program for LETPP, State grant allocations will be reduced to \$816 million (an almost \$300 million reduction for SARASI or non-UASI county use for response plans, equipment and training) (Table 3). These 80 percent of First Responder and Health agencies within the SARASI communities will experience a more than 25

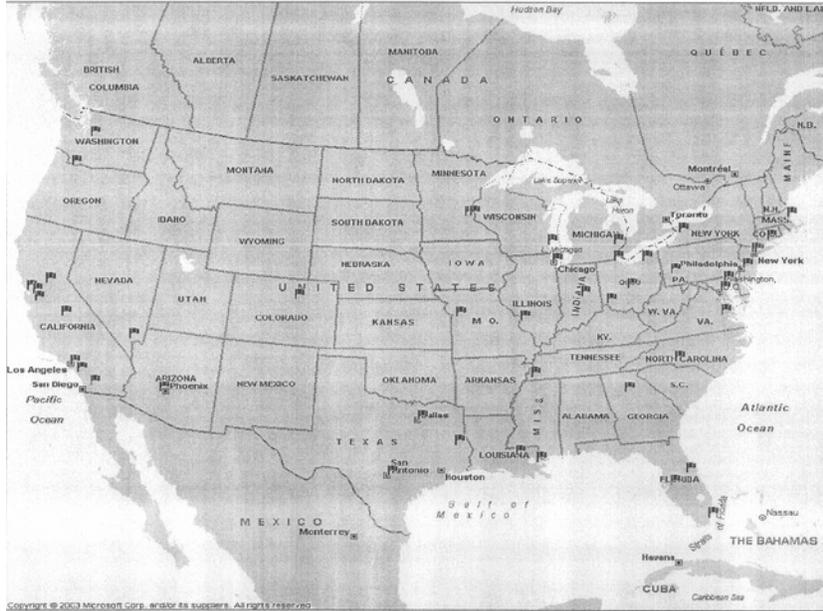
percent reduction from funds available for all First Responders involved in response planning, equipment and training.

In summation, we would respectfully ask that the United States Congress:

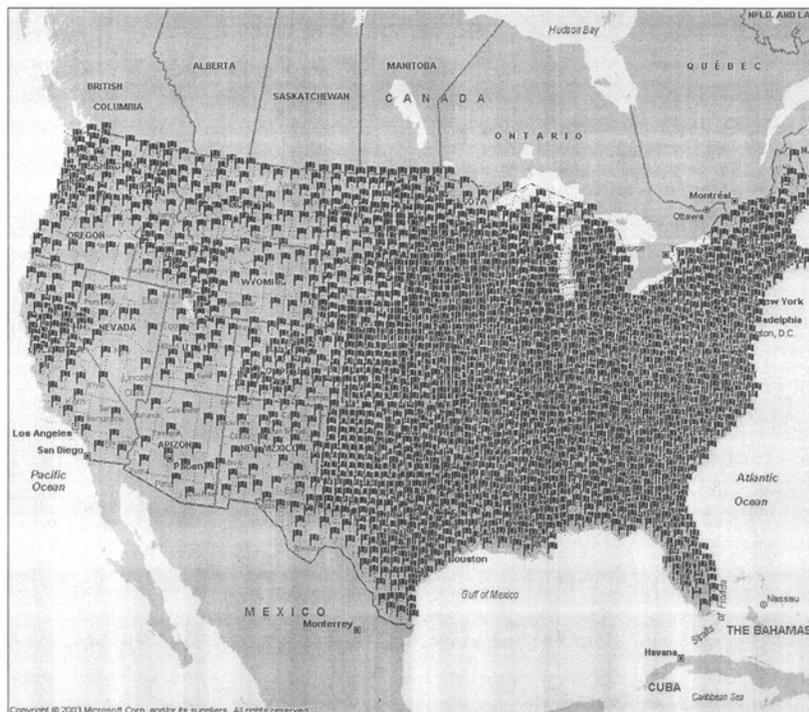
- Reinstate the Homeland Security funding category of “LETPP—Law Enforcement Terrorism Prevention Program” as a separate line item funding category;
- Restrict the use of formula funding to require a threshold percentage of funding be directed toward prevention versus response efforts;
- Avoid funding allocations that will have UASI urban cities funded to the detriment of all other counties, towns and villages involved in the prevention of terrorism; and
- Avoid melding the prevention plus responder roles of law enforcement into one funding category used to fund responder functions for all other first responder public safety and health agency forces.

America has not had any major terrorist incidents since 9/11. We would respectfully ask, “Why would we want to change that which is working?” Instead, would it not be more prudent to build forward, in not redesigning that which is working, but to instead address deficiencies which may have been recently identified? LETPP, as a separate line item, has served this Nation well toward accomplishing significant prevention strategies and in effectively separating out the unique prevention role 19,000 law enforcement agencies perform amongst the first responder roles all public safety forces are engaged in our 3,042 counties.

Map 1: Only 60-65 (2%) Of 3,042 U.S. Counties are UASI Counties.
However, Domestic and International Terrorists Can Plan Anywhere Within the United States.



Map 2: Of 3,042 U.S. Counties, 2,980 (98%) are SARASI Suburban and Rural Counties. Prevention, Such As Information Sharing, Involves 100% of America's Geography.



PREPARED STATEMENT OF THE UNIVERSITY OF MIAMI

Chairman Gregg, Ranking Member Byrd, and distinguished members of the Subcommittee, thank you for giving me the opportunity to provide testimony on the Disaster Resistant University initiative and to request the program be continued in the fiscal year 2006 appropriations bill of your Subcommittee.

We very much appreciate the interest Members of Congress have shown in this program. With only a small Federal investment, the Disaster Resistant University program created a model for other educational institutions to develop and implement a loss control program and created a sense of focus, pride and achievement. It is a small program with great benefits. We urge that the program be continued.

Request for Fiscal Year 2006

We respectfully request the following language in the fiscal year 2006 Department of Homeland Security Appropriations Report in the Emergency Preparedness and Response section under Predisaster Mitigation.

The Committee directs Emergency Preparedness and Response (FEMA) to continue the Disaster Resistant University Program as a separate program and to provide continued support of \$500,000 directly to each of the pilot universities and \$500,000 each to those selected in 2004 to implement mitigation efforts to reduce their vulnerabilities and improve protection of their students, employees, and the Federal investment in vital research.

The FEMA Disaster Resistant University (DRU) Program was created to reduce the potential for large loss of life and hundreds of millions of dollars in key Federal research and billions of dollars in damage from natural disasters. The University of California at Berkeley was the prototype and founding member of the program.

In October 2000, FEMA selected five additional universities to join Berkeley in the pilot phase of the program: the University of Alaska at Fairbanks, University of Miami, University of North Carolina at Wilmington, Tulane University, and the University of Washington at Seattle. The pilot universities have two elements in common: a vulnerability to disasters and a commitment to improve protection of students, faculty and staff, and one of our most valuable assets, intellectual property. The pilot program was funded with \$700,000 in grants from predisaster mitigation funds and the U.S. Fire Administration.

Purpose of the Program

The purpose of the program is to help the Nation's colleges and universities facing the threat of natural disasters and acts of terrorism to assess their vulnerabilities and find ways to protect the lives of their students, faculty, and staff; their research; and their facilities. It will provide a framework and process for other universities to do the same.

The intent of the program is to assist universities by first providing a small grant for them to assess their vulnerabilities, devise appropriate plans, and set priorities and then to provide grants in following years of approximately \$500,000 each for the universities to implement projects to reduce campus vulnerabilities to disaster.

Need for the Program

The Federal Government funds \$21.1 billion annually in university research, according to the National Science Foundation statistics in 2002, the latest year available. This Federal investment in the vital intellectual property of the Nation should be protected.

In addition, universities are critical to the economic health of their surrounding communities. The ability to resume operations quickly following a disaster greatly speeds the recovery of the entire community.

Some examples of the economic impact of universities on their communities follow:

- The University of Miami is the largest private employer in Miami-Dade County with 10,157 employees and 6th largest employer overall and has an economic impact of \$3.9 billion a year and 37,000 employment positions in the community.
- The University of Washington is the 3rd largest employer in the state of Washington and has a \$3.4 billion impact.
- The University of North Carolina at Wilmington is the 3rd largest employer in the area and is a \$400 million annual benefit to an eight county area.
- The University of California at Berkeley is the 3rd largest employer in the Bay area and generates \$1.4 billion annually in the Bay area.
- Tulane University is the largest private employer in the New Orleans metropolitan area and the 5th largest private employer in Louisiana with an \$842 million annual economic impact on the City of New Orleans and an annual economic impact of \$1.12 billion on the state of Louisiana.
- The University of Alaska at Fairbanks is the largest civilian employer in the Tanana Valley.

In addition, many universities operate medical schools which provide essential clinical services to the residents of their communities and adjacent areas.

In the past decade, disasters have affected university and college campuses with increasing frequency. For most universities, damage that results in closure of four weeks or more would result in canceling a semester with devastating consequences for the school, the students and the community.

Many recent events underscore the need for the program: the loss of many years of research at the Texas Medical Center as result of flooding from Tropical Storm Allison; the earthquake damage to the University of California at Northridge and the University of California at Los Angeles; the facility damage and loss of life at the University of Maryland as result of a tornado; hurricane damage to the University of North Carolina at Wilmington; the earthquake damage to the University of Washington at Seattle; and the declaration by the FBI that our universities are "soft" targets for terrorists.

Status of the Program

Congress directed in the fiscal year 2003 Appropriations Bill for FEMA that \$500,000 was to be available to the six existing DRUs and \$100,000 each was to be available for at least six new ones to start the process. On December 31, 2003, FEMA published a Notice of Funds Availability (NOFA) for grant applications. The funds were from the PreDisaster Mitigation Fund.

Forty-four universities and four consortia applied by the March 2004 deadline. Applications were received from six Historic Black Colleges and Universities

(HBCU) and one tribal school. Applications were received from universities located in nine of the ten FEMA regions.

In October 2004 FEMA announced twenty-four colleges and universities had been selected to join the six pilots in the program. Those universities are as follows: Radford University (VA), Virginia State University, Virginia Tech, Florida Agricultural & Mechanical University, Florida International University, University System of Georgia, University of Louisville (KY), University of Mississippi, Horry-Georgetown Tech (SC), University of Memphis (TN), University of Akron (OH) Southern University (LA), University of New Orleans (LA), University of Central Oklahoma, Texas State Technical College, Texas University-Medical Center, Metropolitan Community College (MO), University of Colorado at Boulder, North Dakota State University, Sitting Bull College (ND), San Jose State University (CA), University of Southern California, University of Nevada-Reno, and the University of Oregon. These colleges and universities received Federal grants ranging from \$31,000 to \$100,000. The institutions are providing 25 percent of the cost.

The applications for the fiscal year 2003 funding for the pilots and the new schools had layers of requirements and were very time consuming. One of the new schools indicated that over 150 hours of staff time was required to complete the application for \$100,000. However, the colleges and universities seeking to enter the program and obtain a grant put forth the effort and accepted the responsibilities of a rigorous planning and risk analysis process because of the incentive to become part of the separate DRU program and to be eligible for yearly grants of \$500,000 to implement mitigation projects. In addition the colleges and universities expected to be mentored by other universities and guided by FEMA.

However, FEMA guidance for the PreDisaster Mitigation Program (PDM) issued in October 2004 for the combined 2004 and 2005 PDM grant cycles indicated that FEMA was not continuing the DRU as a separate program and recommended that colleges and universities apply for projects in the nationally competitive PDM program. Given the great benefit to FEMA and the Nation from such a small investment, this was a great disappointment to the pilots and to the new selections. Public and private nonprofit colleges and universities were already eligible applicants for the nationally competitive PDM program. Receiving a single grant for one hurricane shuttering project, one drainage improvement, or one earthquake retrofit is very helpful, but it is not a substitute for a comprehensive, multiyear program.

Given the many challenges facing our universities, it is difficult to compete for attention and money for disaster preparedness and mitigation when there is not an immediate threat. However, designation as a Disaster Resistant University has real value. The pilot universities found that the designation as a Disaster Resistant University and the expectation of continuing to participate in the program brought attention and commitment at the highest levels of the universities. The networking and partnerships built with Federal, State, and local emergency management officials and other entities serving the public, such as hospitals and utilities, have benefits to the communities far beyond the scope of the original program and certainly way beyond the amount of the grants. Participating in the program created a framework for disaster planning and mitigation activities that helped universities focus and enhance efforts to protect their students, faculty, staff, vital research, and facilities. Two of the great values of the program which should not be overlooked have been the mentoring and exchanging of ideas among participating universities and the pilots spreading the FEMA mitigation message as they share their experiences at many different national and regional meetings of educational institutions.

We again thank you for the opportunity to provide written comments and respectfully urge that the DRU program be continued. A summary of previous Congressional interest in this program is attached. We would welcome the opportunity to provide additional information or to discuss the program further with your staff.

Summary of Congressional Interest

We very much appreciate the support Congress has given this program.

Fiscal Year 2002

The Conference Report on the VA, HUD and Independent Agencies Appropriations bill for 2002 (House Report 107-272) contained the following language:

The conferees believe that many of the Nation's universities are vulnerable to disaster and urge FEMA to continue its Disaster Resistant University program and expand the scope to include safe-guarding university assets from acts of terrorism.

Fiscal Year 2003

The Conference Report on the fiscal year 2003 Omnibus bill in the FEMA section of the VA, HUD and Independent Agencies stated the following:

The conferees are in agreement that FEMA should continue the Disaster Resistant University program and direct FEMA to carry out the direction contained in House Report 107-740.

House Report 107-740 stated the following:

Finally, the Committee notes that in September of 2000 FEMA selected five universities to join the University of California at Berkeley in the pilot phase of the Disaster Resistant University program: University of Alaska/Fairbanks, University of Miami, University of North Carolina/Wilmington, Tulane University, and University of Washington/Seattle. The purpose of the program is to help the Nation's colleges and universities facing the threat of natural disasters to assess their vulnerabilities and find ways to protect their research, facilities and the lives of students, faculty and staff. The Committee directs FEMA to continue the Disaster Resistant University Program with grants of \$500,000 to each of the six pilot Disaster Resistant Universities and \$100,000 each to at least six additional universities, including at least one HBCU, to join the program.

Fiscal Year 2004

The Senate Report on the Department of Homeland Security Appropriations bill (S. Report 108-86) included the following language under the National Pre-Disaster Mitigation Fund which was funded at \$150,000,000.

The Committee encourages the Department to continue the existing Disaster Resistant University program at the fiscal year 2003 level.

The House receded to the Senate in the conference agreement.

PREPARED STATEMENT OF THE UPPER MISSISSIPPI RIVER BASIN ASSOCIATION

The Upper Mississippi River Basin Association (UMRBA) is the organization created in 1981 by the Governors of Illinois, Iowa, Minnesota, Missouri, and Wisconsin to serve as a forum for coordinating the five States' river-related programs and policies and for collaborating with Federal agencies on regional water resource issues. As such, the UMRBA has an interest in the budgets for the U.S. Coast Guard and the Federal Emergency Management Agency (FEMA).

Both the Coast Guard and the FEMA have vital functions specifically related to homeland security that must be adequately funded. But both also have other traditional missions that are equally important to public health and safety, economic well-being, and environmental protection. For the Coast Guard, these include activities such as aids to navigation, vessel and facility inspections, emergency response, and mariner licensing. For FEMA, key traditional missions include the National Flood Insurance Program, flood map modernization, hazard mitigation, and response to floods and other natural disasters. Nowhere are these services more important than on the Upper Mississippi River System, which supports a vital link in the inland waterway transportation system, some of the Nation's most productive agricultural land, population centers ranging from small towns to major metropolitan areas, and a nationally significant ecosystem.

COAST GUARD OPERATING EXPENSES

A continuing priority for the UMRBA is the Coast Guard's Operating Expenses account. The President's fiscal year 2006 budget proposal includes \$5.55 billion for this account, an increase of almost 8 percent from the fiscal year 2005 enacted level. However, this net increase of \$390 million for Operating Expenses will be largely consumed by specific increases tied to implementation of the Maritime Transportation Security Act (MTSA); increased personnel costs; and operating costs for new vessels, aircraft, and facilities related to the Coast Guard's saltwater responsibilities. These initiatives are important in their own right and will benefit a range of Coast Guard missions. However, it is also true that the Coast Guard's non-security missions on the Nation's inland waterways will be under continued strain as the inflation-adjusted resources for many of these missions remain static or shrink.

When the Department of Homeland Security was formed, the UMRBA strongly supported the Coast Guard's stated objective of sustaining traditional missions near their pre-9/11 levels. These traditional missions are critical to the safe, efficient operation of the Upper Mississippi River and the rest of the inland river system. Under these mission areas, the Coast Guard maintains navigation channel markers, regulates a wide range of commercial vessels in the interest of crew and public safety, and responds to spills and other incidents. The beneficiaries include not only commercial vessel operators, but also recreational boaters; farmers and others who ship materials by barge; and the region's citizens, who benefit enormously from the river as a nationally significant economic and environmental resource.

Even prior to September 11, recent years had brought a number of changes to the way the Coast Guard operates on the inland river system, including elimination of the Second District; closure of the Director of Western Rivers Office; decommissioning the Sumac, which was the largest buoy tender on the Upper Mississippi River; and staff reductions. While the States understand the need for efficiency, the cumulative impacts of these changes must be carefully monitored, particularly in light of the increased demands that we are now placing on the personnel and assets that remain in the region. The UMRBA is quite concerned that staff reductions and resource constraints have combined to impair the Coast Guard's ability to serve as an effective, proactive partner.

Specifically, increased security demands have reduced the staff assigned to vessel inspections and limited the Coast Guard's investigation of reported spills. Sending a single person to conduct vessel inspections reduces the rigor of those inspections, and, in a worst case scenario, potentially puts the inspector at risk. Similarly, electing not to respond to reports of small spills means some of these spills will go uninvestigated and puts increased demands on local officials, who do not have the Coast Guard's expertise or resources. Moreover, it could result in costly delays should a spill turn out to be larger than first reported, an all-too-common occurrence. Temporary adjustments initially made to accommodate immediate security needs are now evolving into long term standard operating procedures. While everyone recognizes the need to adjust to our new security environment, it is essential for the Coast Guard to retain the capacity to perform its traditional missions on the Upper Mississippi River. Toward that end, the UMRBA supports the President's fiscal year 2006 budget request for the Coast Guard's Operating Expenses account, and urges Congress to ensure that sufficient resources from within this account are allocated to the Coast Guard's inland river work.

Research, Development, Testing, and Evaluation

Through its Research, Development, Testing, and Evaluation (RDT&E) program, the Coast Guard conducts cutting edge research in several critical areas, including oil spill prevention and response, risk assessment, and mariner safety. Of particular note, researchers at the Coast Guard's Groton, Connecticut Research and Development Center have made invaluable contributions to State-of-the-art fast water spill response, in situ burning, and human error reduction. However, the President is once again proposing to shift the Coast Guard's RDT&E funding to the Department of Homeland Security's Science and Technology (S&T) Directorate. This proposal represents precisely the kind of diminution of the Coast Guard's non-security missions with which the UMRBA and others have repeatedly expressed concern. Research on innovative oil spill recovery equipment or new methods for combating crew fatigue will likely be lost in the department-wide S&T Directorate, with its overwhelming focus on homeland security issues. Moreover, the President's proposal appears to be inconsistent with Section 888 of the Homeland Security Act, which calls for "the authorities, functions, and capabilities of the Coast Guard to perform its missions . . . [to] be maintained intact." The UMRBA urges Congress to provide adequate and direct funding of approximately \$24 million to the Coast Guard's multi-mission RDT&E program in fiscal year 2006. This is the amount the Administration suggests the Coast Guard would receive from the S&T Directorate's competitive funds in fiscal year 2006, and is a \$5.5 million increase over the fiscal year 2005 RDT&E appropriation.

Reserve Training

The President is requesting \$119 million for Coast Guard Reserve Training in fiscal year 2006, an increase of \$6 million, or 5 percent, over the fiscal year 2005 enacted level. The UMRBA States are keenly aware of the importance of the reserve forces. During major flood events on the inland rivers, reservists have consistently provided exemplary service, augmenting the Coast Guard's capabilities and helping to protect public health and safety. More recently, many reservists have been called to active duty, enabling the Coast Guard to meet many new security-related demands. On the inland rivers, this has included increased patrols near critical facilities and development of security plans for key inland ports. The UMRBA urges Congress to fund Reserve Training at \$119 million in fiscal year 2006, thereby helping to maintain a Coast Guard reserve that can effectively execute both homeland security- and natural disaster-related missions.

Boating Safety Grants

The Coast Guard's boating safety grants to the States have a proven record of success. The Upper Mississippi is a river where all types of recreational craft routinely operate in the vicinity of 15-barge tows, making boating safety all the more impor-

tant. As levels of both recreational and commercial traffic continue to grow, so too does the potential for user conflicts.

Boat safety training and law enforcement are key elements of prevention. However, the future of this successful grants program is uncertain. Following the pattern of recent years, the President has requested \$59 million in fiscal year 2006 funding for boating safety grants to the States. This is the amount historically authorized without annual appropriation from the Boat Safety Account, which is funded by a tax on fuel for recreational motor boats. Successive Administrations have not typically exercised their option to request an additional \$13 million in annual appropriations for the grants. However, the authority for the funding from the Boat Safety Account must be extended if the program is to continue in fiscal year 2006. Such a provision is currently being considered as part of pending transportation legislation. The UMRBA urges prompt reauthorization of the Boating Safety Program, and funding of this important work at \$72 million annually.

FEDERAL EMERGENCY MANAGEMENT AGENCY (EMERGENCY PREPAREDNESS AND
RESPONSE DIRECTORATE)

Hazard Mitigation

UMRBA is particularly interested in FEMA programs that help mitigate future flood hazards. Mitigation, which is the ongoing effort to reduce or eliminate the impact of disasters like floods, can include measures such as relocating homes or community facilities off the floodplain, elevating structures, and practicing sound land use planning. Mitigation planning and projects are essential to reducing the Nation's future disaster assistance costs. Given the importance of mitigation, UMRBA supports the Pre-Disaster Mitigation (PDM) grant program, which was created in fiscal year 2003 and for which the President is requesting \$150 million in fiscal year 2006. While the PDM grant program is still relatively new, it holds promise for enhancing communities' ability to prevent future damages, particularly in areas that have not experienced a major disaster and thus have not had access to post-disaster mitigation assistance through the Disaster Relief Fund. In addition, pre-disaster mitigation assistance is an effective means of meeting the ongoing need in all communities to plan for future floods and reduce their vulnerability before the next flood disaster.

In fiscal year 2003, forty communities in the five Upper Mississippi River Basin States received PDM competitive grants, totaling \$3.4 million. While most were relatively small planning grants, funding was also provided for acquisitions, safe rooms, and electric utility protection. The application period for the second round of grants (fiscal year 2004–2005 combined) just ended. While there have been concerns expressed about the complexities of the competitive process, there is no doubt that communities need such grants to help them develop effective mitigation plans and reduce the impacts of floods. Thus UMRBA supports the President's fiscal year 2006 funding request of \$150 million for the PDM program.

Flood Map Modernization

Flood maps are not only used to determine risk-based National Flood Insurance Program premium rates, but also provide the basis for local regulation of flood hazard areas and for State and local disaster response planning. However, current flood maps are rapidly becoming obsolete due to the effects of land use changes in the watersheds. When outdated maps underestimate flood depths, it can often lead to floodplain development in high risk areas. It is therefore important that flood maps be updated on an ongoing basis and in a timely way.

The President's fiscal year 2006 budget proposes \$200 million for FEMA's Flood Map Modernization program. While funding for flood maps has increased substantially since the Map Modernization initiative began in fiscal year 2003, there are growing concerns about the adequacy of the original time and cost estimates. For instance, producing updated and accurate maps often requires that new studies be conducted. However, the existing map modernization budget is only sufficient to fund actual mapping costs and will not adequately cover the costs of necessary associated tasks, such as new flood elevation studies or levee certifications. Given that mapping needs are being prioritized based on population, rather than flood risk or need, it is not clear when relatively sparsely populated counties along the Mississippi River will be mapped. Ironically, the Federal Government, through the U.S. Army Corps of Engineers, recently spent approximately \$17 million to develop new flood profiles for the Upper Mississippi and Lower Missouri Rivers. Unfortunately this updated information cannot be fully utilized until sufficient funding is made available to modernize and digitize the flood maps for river communities. Thus, the UMRBA urges Congress to provide adequate funding for map modernization, includ-

ing sufficient funding to develop new maps for the Upper Mississippi and Lower Missouri Rivers based on the new flood profiles.